



City of Coral Gables Planning Department Staff Recommendation

Applicant:	Somerset Grace Charter School of Coral Gables
Application(s):	Change in Land Use, Conditional Use and Site Plan Review Applications (#07-10-113-P)
Property:	624 Anastasia Avenue (University Baptist Church)
Public Hearing	Local Planning Agency/Planning and Zoning Board, Coral Gables Memorial Youth Center Auditorium, 405 University Drive, Coral Gables, Florida, 33134 April 27, 2011, 6:00 – 9:00 p.m.

Application Request.

Application No. 07-10-113-P. Change of Land Use, Conditional Use and Site Plan Review for Somerset Academy Grace Charter School at Coral Gables, as follows:

1. An Ordinance of the City Commission of Coral Gables, Florida, requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from “Religious/Institutional” to “Community Services and Facilities” for a 2.6 acre parcel of land commonly known as the “University Baptist Church”, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida; and, providing for severability, repealer, codification and an effective date. (LPA review).
2. An Ordinance of the City Commission of Coral Gables, Florida, requesting conditional use review pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, to permit a student increase of an existing Charter School from 110 students to a maximum 735 students on property designated “Special Use (S)” Zoning District, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB review).
3. An Ordinance of the City Commission of Coral Gables, Florida, requesting site plan review to permit miscellaneous site improvements and a student increase of an existing Charter School from 110 students to a maximum 735 students on property designated “Special Use (S)” Zoning District, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB review).

Table of Contents.

Section	Page
1 Summary of Applications.	4
Block, Lot and Section Location Map	4
2 City Review Process.	5
City Review Responsibilities - Comprehensive Plan and Zoning Code	5
Application Review Process	6
Board of Architect Recommendation	6
Planning and Zoning Board Recommendation	7
City Commission Decision	7
City Review Timeline	7
City Legislative History	8
3 Applicant's Requests.	9
Existing Property Designations	9
Future Land Use and Zoning Map Designations	10
Surrounding Land Uses	10
Aerial	10
Applicants Proposal – Change in Land Use Application	11
Future Land Use Map and Applicants Request – Future Land Use Map	11
Applicants Proposal – Conditional Use and Site Plan Applications	12
Site Plan Information	12
Building Setbacks	12
Parking Spaces	12
Existing/Proposed Uses – Building Square Footages	12
Existing/Proposed Student Enrollment	12
School and Church Employees	13
Goods and Services Delivery Schedule	13
Applicants Traffic Information	13
Proposed Site Plan	14
Proposed Parking Plan	15
Proposed Landscape Plan	16
Proposed Pedestrian Plan	17
Proposed Lighting and Signage Plan	18
1 st Floor Plan – University Baptist Church	19
2 nd Floor Plan – University Baptist Church	20
4 Findings of Fact.	21

	Findings of Facts – Change in Land Use Application	21
	Future Land Use Map and Applicants Request – Future Land Use Map	21
	Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies	21
	Places of Worship and School Location Map	25
	Findings of Facts – Conditional Use and Site Plan Application's	26
	Site Plan Analysis	26
	Building Setback Analysis	26
	Parking Analysis	27
	Parking Space Analysis	27
	Traffic Analysis	27
	Zoning Code Review Criteria	31
	Conditional Use Review Criteria	32
	Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies	34
	Future Land Use Element	35
	Design Element	37
	Mobility Element	38
	Natural Resources Element	43
	Education Element	43
5	Public Notification and Comments.	50
	Courtesy Notice Radius Map	51
	Public Notice	52
6	Staff Recommendation.	52

Attachments.

Attachments

- A** 03.08.11 Preliminary Zoning Analysis prepared by Building and Zoning Department.
- B** Reynolds, Smith and Hills, Inc., Somerset Coral Gables, UBC Campus (PK-8), Traffic Review Report, April 2011.
- C** 04.12.11 Police Department Memorandum (received 04.19.11)
- D** 03.09.11 Legal notice published.
- E** 03.07.11 Courtesy notice mailed to all property owners within 2,000 feet.
- F** 04.13.11 2nd Legal notice published.
- G** 03.24.11 2nd Courtesy notice mailed to all property owners within 2,000 feet.
- H** Synopsis of comments received from property owners within 2,000

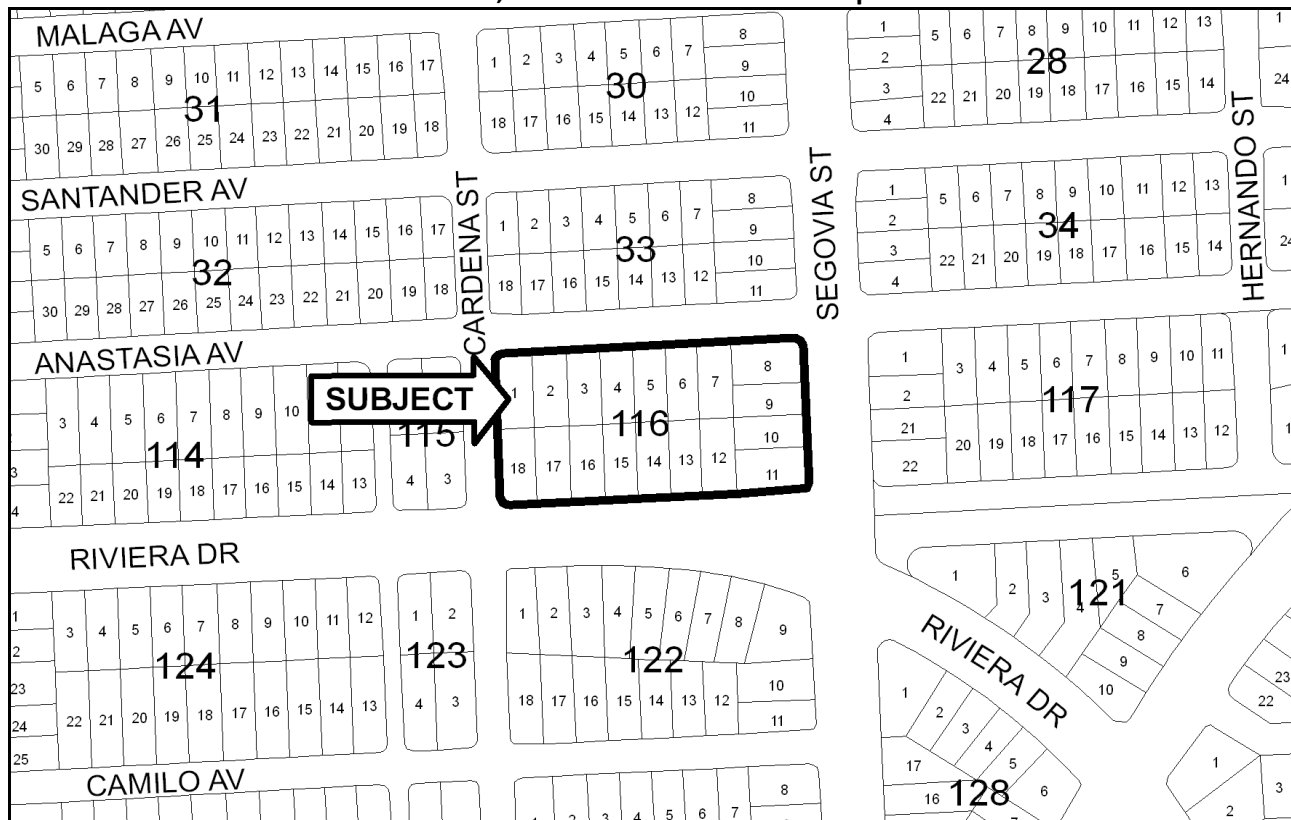
1. Summary of Applications.

Somerset Academy Grace Charter School at Coral Gables (hereinafter referred to as "Applicant"), has submitted three (3) applications (hereinafter referred to as Application's), for City of Coral Gables (hereinafter referred to as the "City"), review and public hearing consideration. The Application's are as follows:

1. Amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan (CP) pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Religious/Institutional" to "Community Services and Facilities."
2. Conditional use review pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, to permit a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.
3. Site plan review to permit miscellaneous site improvements and a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.

The Applicant's request is to permit the expansion of an existing Somerset Academy Charter School (hereinafter referred to as "School"), located on a 2.6 acre property currently occupied by the University Baptist Church, (hereinafter referred to as "Church") legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

Block, Lot and Section Location Map



The Applicant seeks the ability to increase the school's maximum enrollment from 110 (ages 3 – 13) to 735 students, permitting students Pre-K through Grade 8. A total of 675 of the 735 students shall be School Board of Miami-Dade County School students. The remaining 60 students will be Church associated students. The School is currently operating with an enrollment of 110 Pre-K students within the existing Church's educational buildings. City Commission approval was granted in 1977 to operate a school with a maximum 110 students. The Building and Zoning Department issued a Certificate of Use in 2010 to operate as a School consistent with the 1977 City Commission approval. The School entered into a contract with the School Board of Miami-Dade County to open the School on 07.16.09.

No exterior building additions or modifications are requested to the existing structures. Proposed improvements on-site will include traffic management pavement markings, traffic and pedestrian management signage and landscaping. Offsite improvements will include a designated bus/van drop-off on Anastasia Avenue.

The Applicant has submitted a comprehensive Application package which includes the following: Application forms; Statement of Use; City of Coral Gables Certificate of Use; Comprehensive Plan Analysis; Charter School Contract with the School Board of Miami-Dade County; Parent Handbook; Neighborhood meeting information; Traffic documents; and Plans. Please visit the City web at www.coralgables.com, titled "City Agendas", "Planning and Zoning Board" to view and retrieve electronic copies of the Applicants submittal, this Staff Recommendation report, public notices, submitted public comments, etc. The complete application is also on file and available for examination during business hours at the Planning Department, 427 Biltmore Way, Suite 201, Coral Gables, Florida.

2. City Review.

City Review Responsibilities - Comprehensive Plan and Zoning Code

This section provides background and history regarding the City's responsibility for the review of development applications applicable to the City's Comprehensive Plan and Zoning Code.

All local governments in the State of Florida are required to prepare and adopt a Comprehensive Plan. The Comprehensive Plan serves as the City's guide for future growth and development. In 1985, the State Legislature adopted the Local Government Comprehensive Planning and Land Development Act, known as the "Growth Management Act", which requires that each local government prepare and implement a Comprehensive Plan. This legislation required that a Comprehensive Plan contain specific "Elements", which provide goals, objectives and policies addressing such items as future growth, transportation, education, natural resources, capital improvements, etc. The City has a total of fourteen (14) individual elements (i.e., Future Land Use; Governance; Mobility; Design; Housing; Education; Capital Improvements; Parks and Recreation; Community Facilities, Green;; Public Safety, etc) and each has a detailed list of goals, objective and polices of which certain development applications require evaluation to determine "Consistency" or "Inconsistency."

As a part of the Growth Management Act legislation, each local government is also required to reevaluate its Comprehensive Plan on a periodic basis to determine if the adopted goals, objectives and policies have been achieved. This process is known as the Evaluation Appraisal Report or "EAR." The City undertook this EAR process in 1995 and most recently in 2007. After the conclusion of the EAR process, local governments are required to amend the Plan according to the findings and conclusions of the report in order to further the local government's

vision for growth and development. Following the completion of the 2007 EAR, the City of Coral Gables chose to complete a comprehensive rewrite of the entire Plan rather than taking a “patchwork” approach and amending the existing document. The Plan was ultimately adopted by the City Commission in November, 2009 and was found “In compliance” by the State of Florida Department of Community Affairs in January, 2010.

The Comprehensive Plan’s Administration Element provides the City’s “Vision Statement” which captures the purpose and intent of the Plan. The first and primary goal of the Administrative Element is that the City “*shall provide a visionary blueprint for the City’s growth, development, and function while preserving its historic and cultural character in concert with the City of Coral Gables City Commission mission and vision*” (Goal ADM-1).

City Staff’ responsibility is to provide effective and efficient administration, interpretation, implementation, monitoring and evaluation of the Comprehensive Plan to promote the City’s vision, goals, objectives, and policies. This includes administration the Comprehensive Plan in an efficient and effective manner that is consistent with federal, state, and local laws and regulations. In order to achieve that, the Plan requires the City “*Interpret the Comprehensive Plan in a manner that is founded on sound legal and planning principles, and is in accordance with federal, state, and local laws and regulations*” (Objective ADM-1.2).

The Plan further establishes that it is a policy of the City that “*the Comprehensive Plan supports and solidifies the implementation of the City’s land development regulations which includes the City Zoning Code and Zoning Map(s). The Comprehensive Plan shall also support the City Charter and City Code*” (Policy ADM-1.2.1), and that the City shall “*develop strategies and regulations to implement the Comprehensive Plan goals, objectives, and policies. In particular, the City’s Zoning Code should be analyzed and amended as necessary to be consistent with and promote the Comprehensive Plan goals, objectives, and policies*” (Policy ADM-1.3.1).

A comprehensive rewrite of the Zoning Code was undertaken in 2004 through 2007. In advance of the rewrite, a community-wide Charrette was completed in 2002 which formed the basis for both the rewrite of the Zoning Code and Comprehensive Plan. Significant community input was attained via the Charrette, and Zoning Code and CP rewrites. The Charrette provided a series of recommended changes to the City’s codes and all of the recommendations were implemented.

In summary, the City’s Comprehensive Plan provides the framework or “roadmap” for the future development of the City and the Zoning Code provides the tools for implementation.

Application Review Process

Conditional Use and Site Plan applications require review and approval from the Board of Architects. All three (3) Applications require review and recommendation at a minimum of three (3) public hearings before the Planning and Zoning Board and City Commission (minimum of two public hearings). This section provides details of the required review as well as the timeline of Application reviews.

Board of Architects Recommendation

Upon receipt of the recommendation of City staff, the Board of Architects shall review the application and the recommendation of staff to determine if the application is consistent with the standards of these regulations and any design requirements set out in the zoning district in which the parcel is located. The Board of Architects approval is required prior to the Planning and Zoning Board’s consideration of an application for conditional use approval.

Planning and Zoning Board Recommendation

Pursuant to the City Charter, and subject to the “Zoning Code Article 2, Decision Making and Administrative Bodies, Division 2., Planning and Zoning Board, Section 2-201., Powers and duties,” the Planning and Zoning Board is created to act as the Local Planning Agency (LPA) of the City on the Change in Land Use applications. Upon receipt of a recommendation of City Staff, the Board’s recommendation is forwarded to the City Commission for review and consideration.

The Board also reviews applications for conditional use and site plan review. The Board’s recommendation can be one of the following: approval; approval subject to specified conditions; denial; or continuance to request additional information/further study. Ultimately the Board’s recommendation is forwarded to the City Commission. The Board may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Zoning Code, Section 3-408.

City Staff evaluates all applications and provides its recommendation to both Planning and Zoning Board and City Commission based upon conformance and/or consistency with the following Official City documents: Comprehensive Plan, Zoning Code, City Code, and other applicable local, County and State agency requirements (i.e. ,Florida Statutes, etc.)

City Commission Decision

The City Commission reviews the application, the recommendations of staff, the Board of Architects and the Planning and Zoning Board recommendation, and conducts a quasi-judicial public hearing and may grant the approval, grant the approval subject to specified conditions or deny the application. The City Commission may attach such conditions to the approval that are necessary to ensure compliance with the standards set out in Zoning Code, Section 3-408.

The City Commission considers the applications at two (2) separate public hearings (1st and 2nd Reading). If the City Commission recommends approval at 2nd and Final Reading, the recommendation for approval of the Change of Land Use application is then forwarded to the State of Florida Department of Community Affairs (DCA) as a “Small Scale” amendment pursuant to F.S. Chapter 163.3187. Since the amendment is a small scale amendment, no state required impact analysis is necessary and no DCA review is required.

City Review Timeline

The submitted applications have undergone the following City reviews:

Type of Review	Date
Development Review Committee	05.07.10 and 06.16.10
Board of Architects – Site Plan	Approved - 04.07.2011
Board of Architects – Conditional Use	Approved - 04.07.2011
Board of Adjustment	N/A
Historic Preservation Board	N/A
Landscape Advisory Board	N/A
Local Planning Agency	04.27.11

Type of Review	Date
Planning and Zoning Board	04.27.11
Street and Alley Vacation Committee	N/A
City Commission, 1 st reading	TBD
City Commission, 2 nd reading	TBD

Numerous meetings outside of the required Development Review Committee meeting have occurred with the applicant and City Staff. These meetings are intended to exchange information, provide comments, request additional information in order that the City's may conclude its evaluation of the applications. These meeting included the following City Department representation: Building and Zoning; Fire; Parking; Planning; Public Works, Public Service; Police and City Consultant. The Applicant has completed the necessary City reviews permitting consideration by the Planning and Zoning Board and City Commission.

City Legislative History

The following is a chronology of previous City Commission approvals/legislation affecting the subject property (University Baptist Church):

1. Ordinance No. 1141 (adopted 07.07.1959) - Change of zoning on Lots 1 -7 and 13-16, Block 116 from A-17 to SA-17, with the "S", Special Use designation to permit the construction of a new chapel and educational facility addition, and for the use of Lots 17-18 for off-street parking purposes for the church.
2. Ordinance No. 2252 (adopted 06.28.1977) - Change of zoning on Lots 1-16, inclusive, Block 116 to allow for the additional use of the property for the operation of a child development center to be located in the existing church facilities. The approval was conditioned on hours of operation between 8:30 a.m. and 2:10 p.m.; student enrollment of not more than 110 children; staff limited to not more than 18; and, all ingress and egress from Segovia Street.
3. Ordinance No. 2455 (adopted 02.08.1983) – Change of zoning on Lots 9-11 and 15-18, Block 33 from D-10 and A-17 to SD-10 and SA-17 with the "S", Special Use designation to permit the use of the property for general church purposes. The approval was conditioned on a Unity of Title tying the subject lots and all of Block 16 together as one tract of land; and, maintaining the residential character of the structures located on the subject lots.
4. Ordinance No. 2454 (adopted 03.08.1983) – Change of land use for Lot 9, less the north 20 feet, and all of Lots 10-11 and 15-18, Block 33, Biltmore Section from "Duplex Future Land Use" on Lot 9, less the north 20 feet, and all of Lots 10-11 and "Apartment Future Land Use" on Lots 15-18 to "Religious Institutional Future Land Use" to permit the development of said lots for religious institutional purposes.
5. Resolution No. 23886 (adopted 08.31.1982) – Approved agreement with University Baptist Church permitting use of Lots 1-3 and 20-24, Block 120, Country Club Section Part 6 for parking. Permitted use of City owned property for parking during Sunday worship services subject to the requirement that the Church shall maintain the grass, trees and landscaping including fertilization twice per year and provide liability insurance coverage. The Resolution states that the agreement shall continue for an indefinite period unless cancelled by 60 days written notice from either party.
6. Resolution No. 24862 (adopted 09.25.1984) – Approved installation of underground conduit for communication cable for University Baptist Church owned buildings on either side of Anastasia Avenue subject to requirements by the Public Works Department.
7. Resolution No. 2007-45 (adopted 03.13.2007) – Accepted Senior Citizen Status Report submitted to the City Commission on 03.13.2007 for the Senior Center Program and Facility Initiative and authorizing and directing the City Manager to negotiate a partnership agreement with the University Baptist Church for use of identified areas for a Senior Center Program.

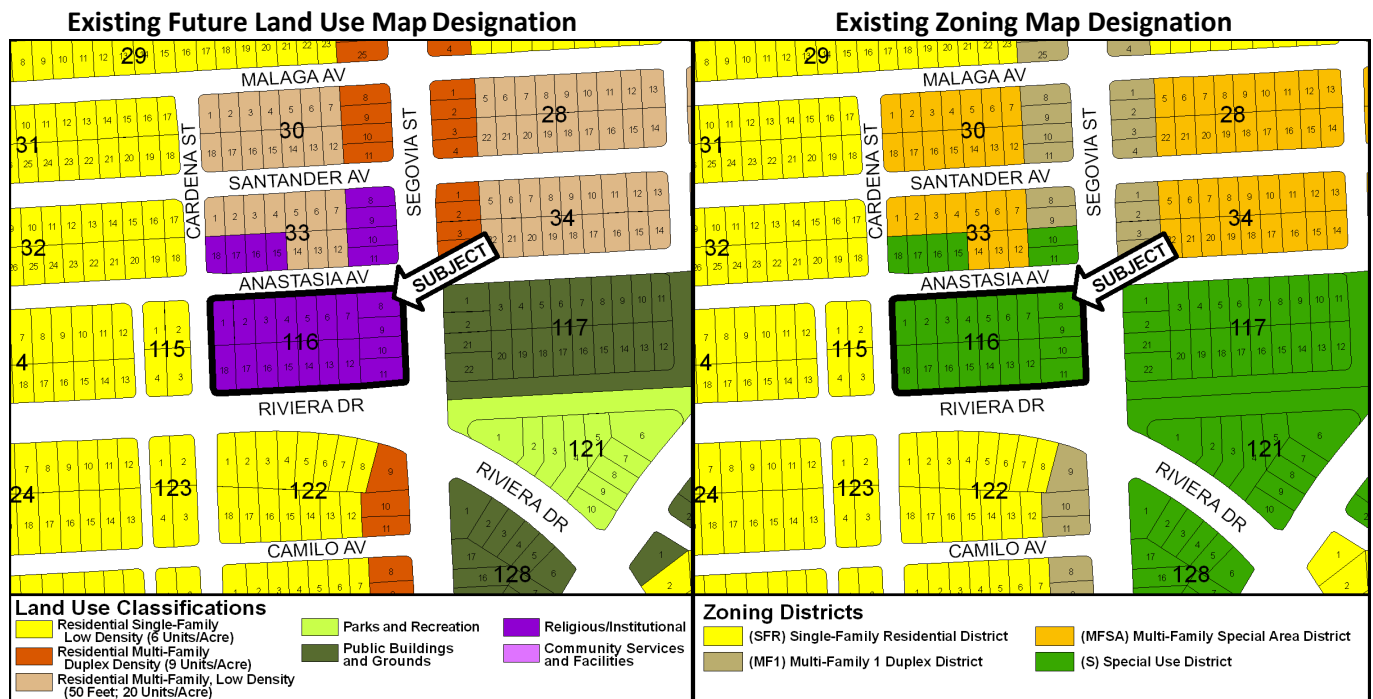
3. Applicant's Requests.

This section provides factual information regarding the (3) applications and the subject property. The Applicant has filed (3) applications for City review:

1. Amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan (CP) from "Religious/Institutional" to "Community Services and Facilities."
2. Conditional use review to permit a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.
3. Site plan review to permit miscellaneous site improvements and a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.

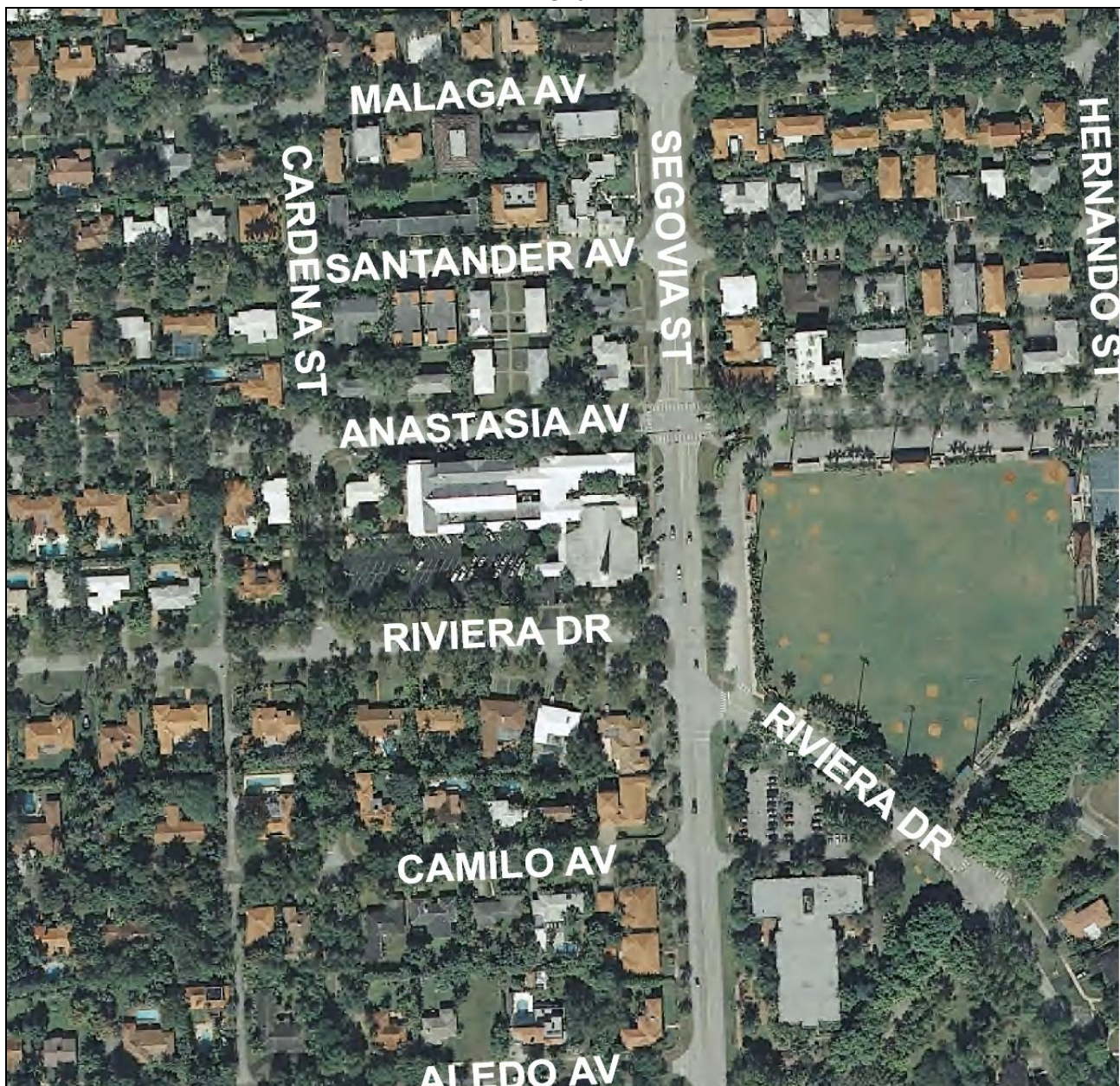
Existing Property Designations

Comprehensive Plan Map designations	"Religious/Institutional"
Zoning Map designations	Special Use District (S)
Within Central Business District	No
Mixed Use District ("C", Commercial only)	No
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Area)	No



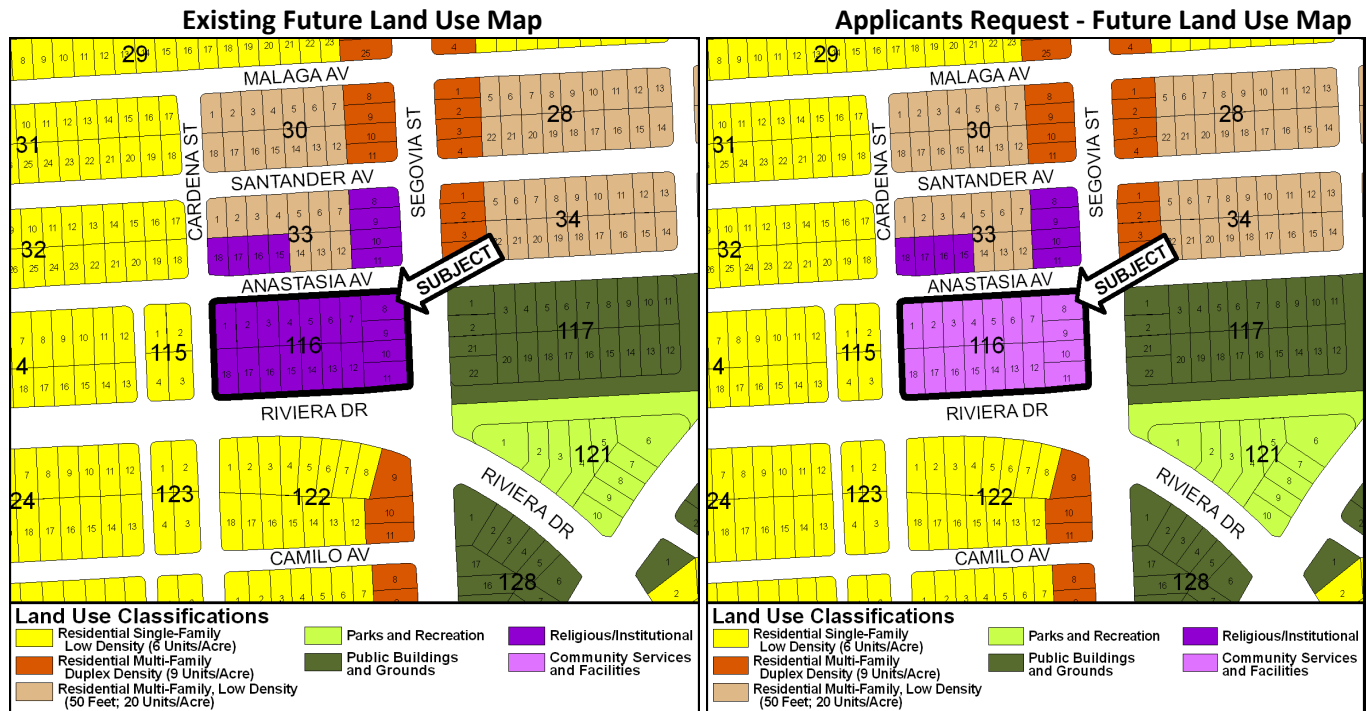
Surrounding Land Uses

Location	Existing Land Uses	CP Designations	Zoning Designations
North	2 story apartment buildings	"Religious/Institutional " and "Residential Use (Multi-Family) Low Density"	Special Use District (S) and "Multi-Family Special Area District (MFSA)
South	1 story single-family residences	"Residential Use (Single-Family) Low Density "	Single Family Residential (SFR)
East	Coral Gables Youth Center	"Public Buildings and Grounds" and "Parks and Recreation"	Special Use District (S)
West	1 story single-family residences	"Residential Use (Single-Family) Low Density "	Single Family Residential (SFR)

Aerial

Applicants Proposal – Change in Land Use Application

The Applicant is requesting a change to the City’s Future Land Use Map designation from “Religious/Institutional” to “Community Services and Facilities”. The Change in Land Use application will allow the School and the Church to operate at the same location. A comparison of the existing Land Use Map designation and the Applicant's request is noted on the following mapping:



The Comprehensive Plan provisions related to the Religious/Institutional Land Use and Community Facilities Land Use classification is as follows:

Comprehensive Land Use Plan – “Table FLU-5. Other Land Uses.”			
Classification	Description	Density / Intensity	Height
Religious / Institutional	Churches, temples, synagogues, houses of worship, fraternal organizations, and related accessory uses such as educational and child care services and private clubs, country clubs and associated uses.	Maximum F.A.R. of 2.0.	Per the Zoning Code.
Community Services and Facilities	Buildings and adjacent land areas that serve a public and/or community function, including local, state, and federal government facilities; public and private schools and educational facilities (excluding University); medical and health facilities; and religious institutions.	Maximum F.A.R. of 2.0.	Per the Zoning Code.

A copy of the applicant’s Comprehensive Plan Analysis justifying the request is provided in the applicant’s submittal.

Applicants Proposal – Conditional Use and Site Plan Applications

This section provides a summary in of various information regarding the existing site conditions and Applicant's proposed site plan and operations. Refer to the Applicant's submittal package for detailed information.

Site Plan Information

Type	Permitted/Required	Proposed
Total site area	111,000 sq. ft. (2.6 acres)	111,000 sq. ft. (2.6 acres)
Floor area ratio (FAR)	0.35 FAR	0.55 FAR**
FAR x total site area =	38,500 sq. ft.	---
Adjusted sq. ft. of buildings (church & residential)*	---	60,652 sq. ft.
Building heights:	45'-0"	Complies
Landscaping	35%	Complies

* Source: Miami Dade County Property Data and Information File

**Property is an existing non-conforming use

Building Setbacks (Existing Building)

Type	Required	Provided*
- Front (Andalusia Avenue)	25 ft.	Complies
- Side street (Segovia Street)	15 ft.	Complies
- Side street (Cardena Street)	15 ft.	Complies
- Rear (Riviera Avenue)	5 ft.	Complies

Parking Spaces

Campus Parking Lot	Existing	Proposed	Zoning Code requirements	Additional parking
On-site parking	90	90	73	17
On-street perimeter parking	46	40	---	---
Total	136	130	73	17

Existing/Proposed Uses – Building Square Footages

Facility	Area (sq. ft.)
Sanctuary/assembly area	8,500 sq. ft.
Classrooms	17,889 sq. ft.
Library	735 sq. ft.
Offices	2,761 sq. ft.
Cafeteria/multipurpose rooms	7,140 sq. ft.
Service/maintenance (includes food serving)	2,755 sq. ft.
Residential/office building	2,441 sq. ft.
Other – circulation, rest rooms, storage, mechanical, etc.	25,957 sq. ft.
Total	68,178 sq. ft.

Existing/Proposed Student Enrollment*

Grades PreK – 8 th Grade	2008-09	2009-10	Projected 2010-11	Projected 2011-12
PK	110	95	53	110
K			23	125
1			18	125
2			16	75

Grades PreK – 8 th Grade	2008-09	2009-10	Projected 2010-11	Projected 2011-12
3			0	75
4			0	50
5			0	50
6			0	50
7			0	50
8			0	25
Total			110	735

* The current approved Certificate of Use limits school enrollment to 110 students

School and Church Employees

Somerset Academy	Employees	Work Schedule
Administrative	2	7:30-6:00
Academic Support staff (clerical, IT, extended care)	5	7:30-6:00
Operations (security maintenance, food service, transportation)	1	7:30-6:00
Faculty (teachers,)	35	8:00-3:20
Faculty support	7	7:00-3:00
Total	50	

University Baptist Church	Employees	Work Schedule
Administrative (clerical, child care, senior living)	14	9:00-5:00
Clergy	20	9:00-5:00
Operations (security maintenance)	5	7:30-4:00
Total	39	

*only 6 UBC employees work and park at the main UBC facility

Goods and Services Delivery Schedule

User	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Sun.
Waste (garbage)	6:30 a.m.		6:30 a.m.				
Office supplies	varies						
Food service	6:45 a.m.	6:45 a.m.	6:45 a.m.	6:45 a.m.	6:45 a.m.		
Fed Ex, UPS delivery					varies		

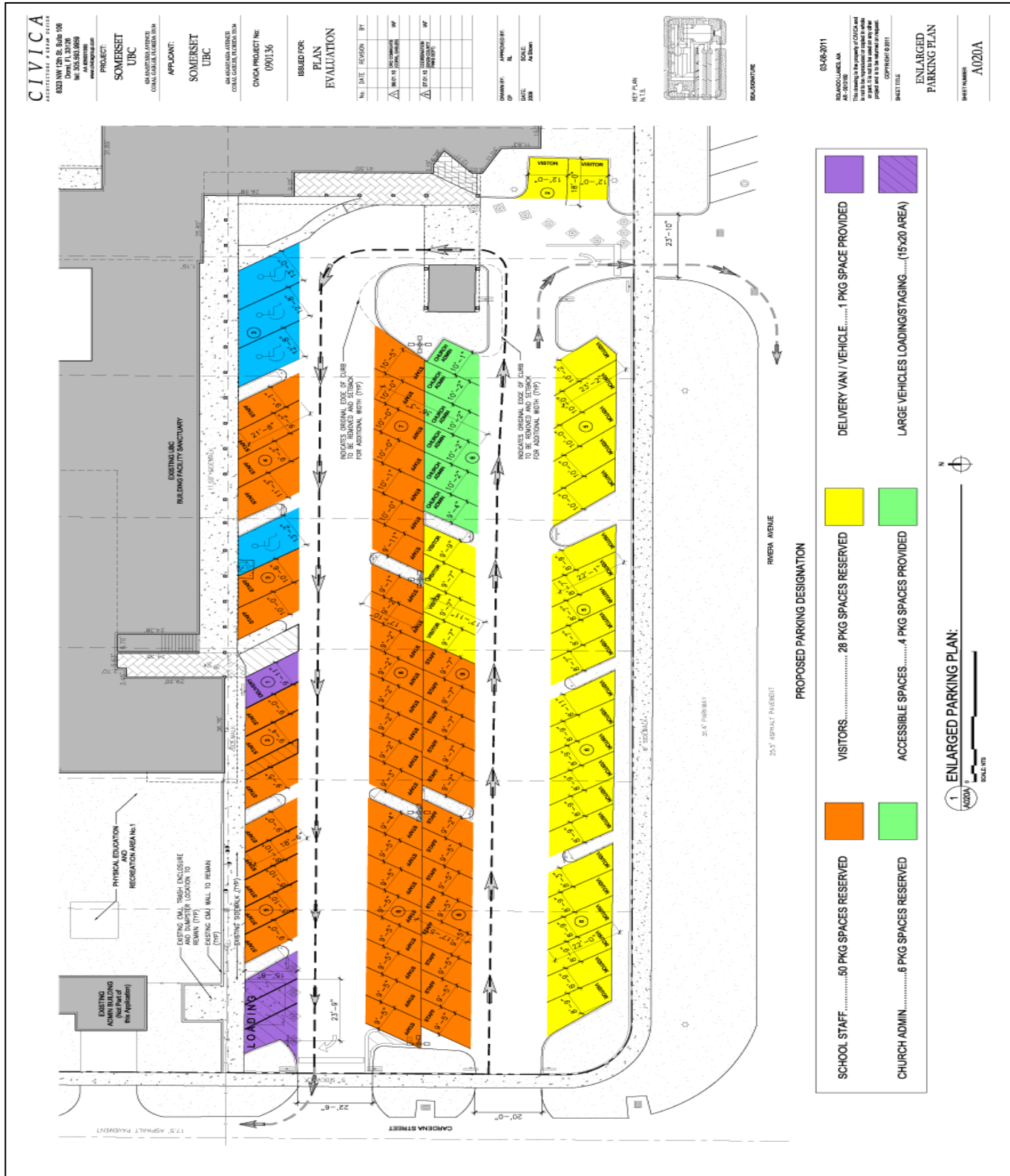
Applicant's Traffic Information

The applicant has submitted various traffic related information. This documentation includes the following:

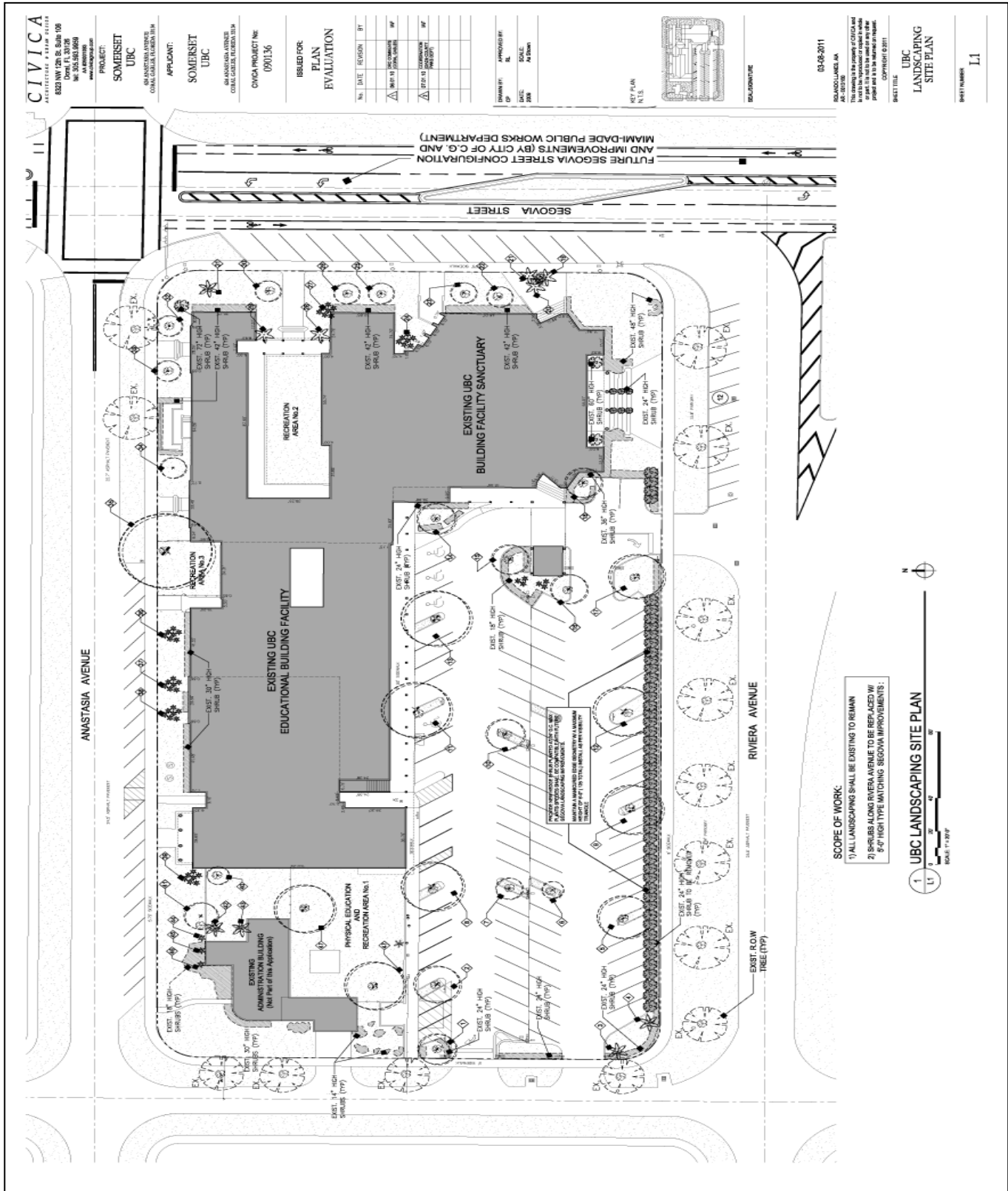
1. Accumulation Assessment – Somerset UBC -03.25.2010.
2. Somerset Coral Gables UBC Campus (PK8) Traffic Impact Study-06.03.2010.
3. Additional Analysis for Somerset CG UBC Campus Traffic Study 06.07.2010.
4. Additional School Data and Analysis for Somerset CG UBC Campus Traffic Study-10.20.2010.
5. Comparative School Data for Somerset CG UBC Campus-12.13.2010.

The applicant's submittal includes all of the information. The applicant's proposed site plan, parking plan, landscape plan, pedestrian plan, lighting and signage and floor plans are provided on the following pages.

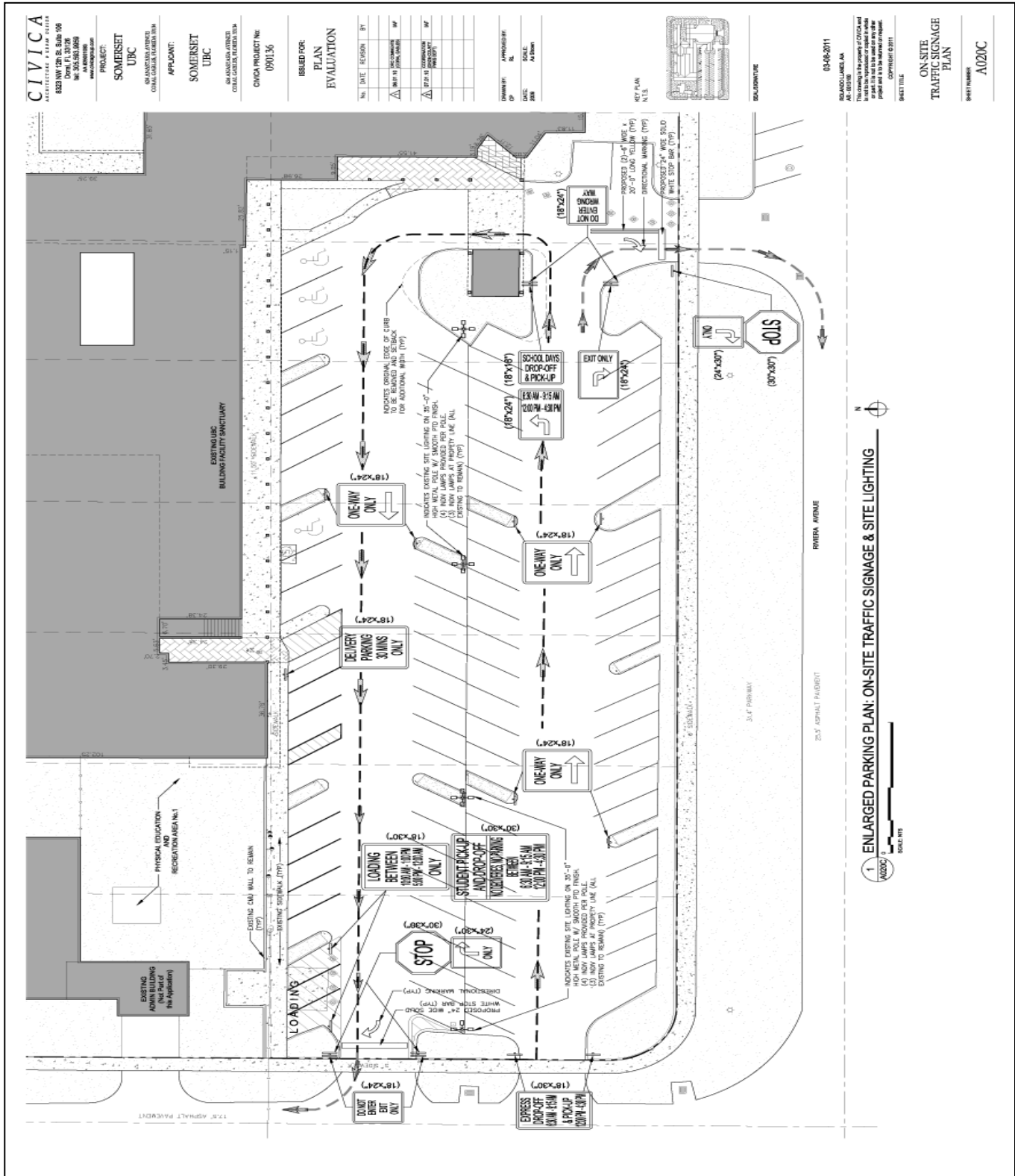
Proposed Parking Plan



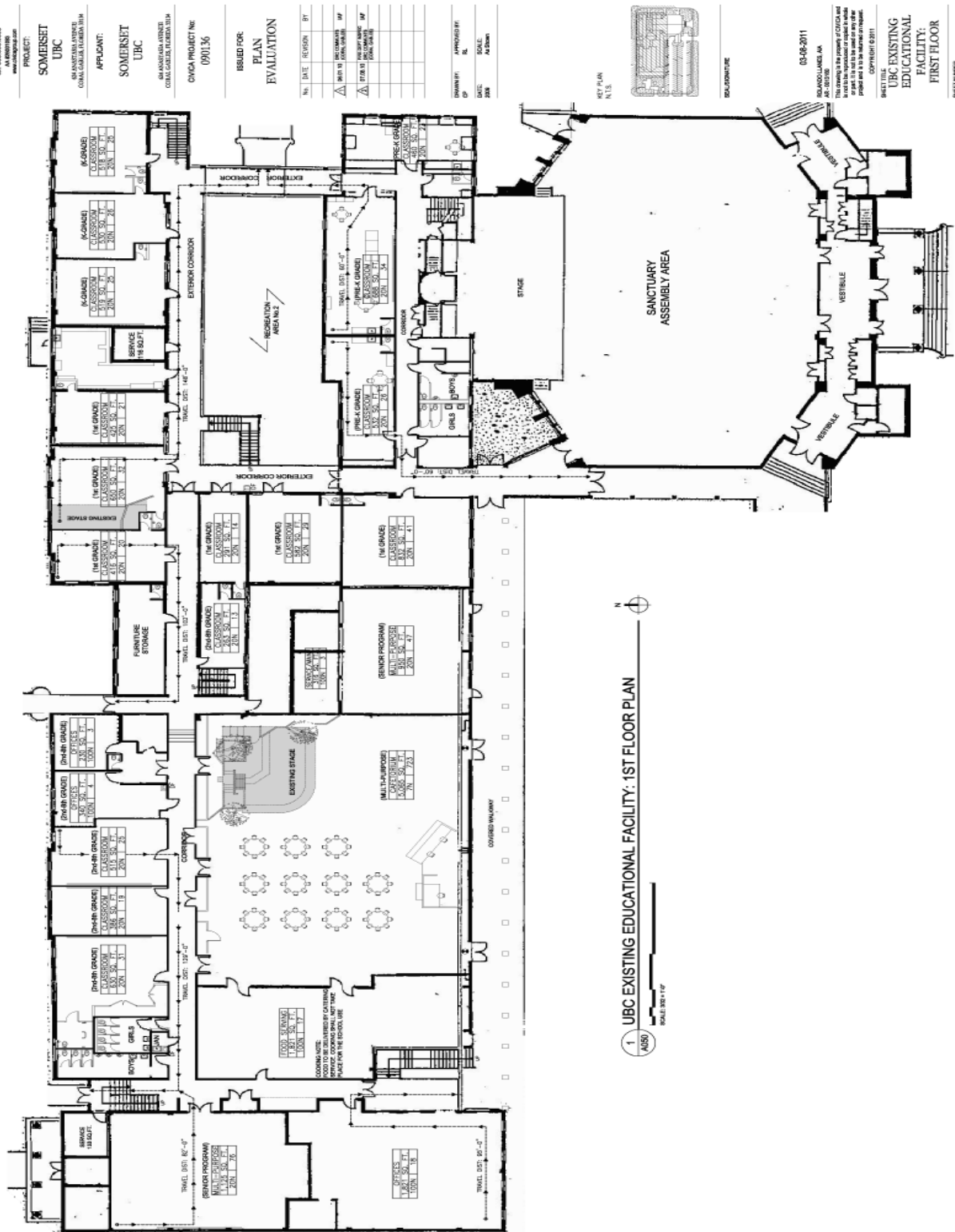
Proposed Landscape Plan



Proposed Lighting and Signage Plan



EXISTING EDUCATIONAL FACILITY AT UBC: NO INTERIOR WORK PROPOSED

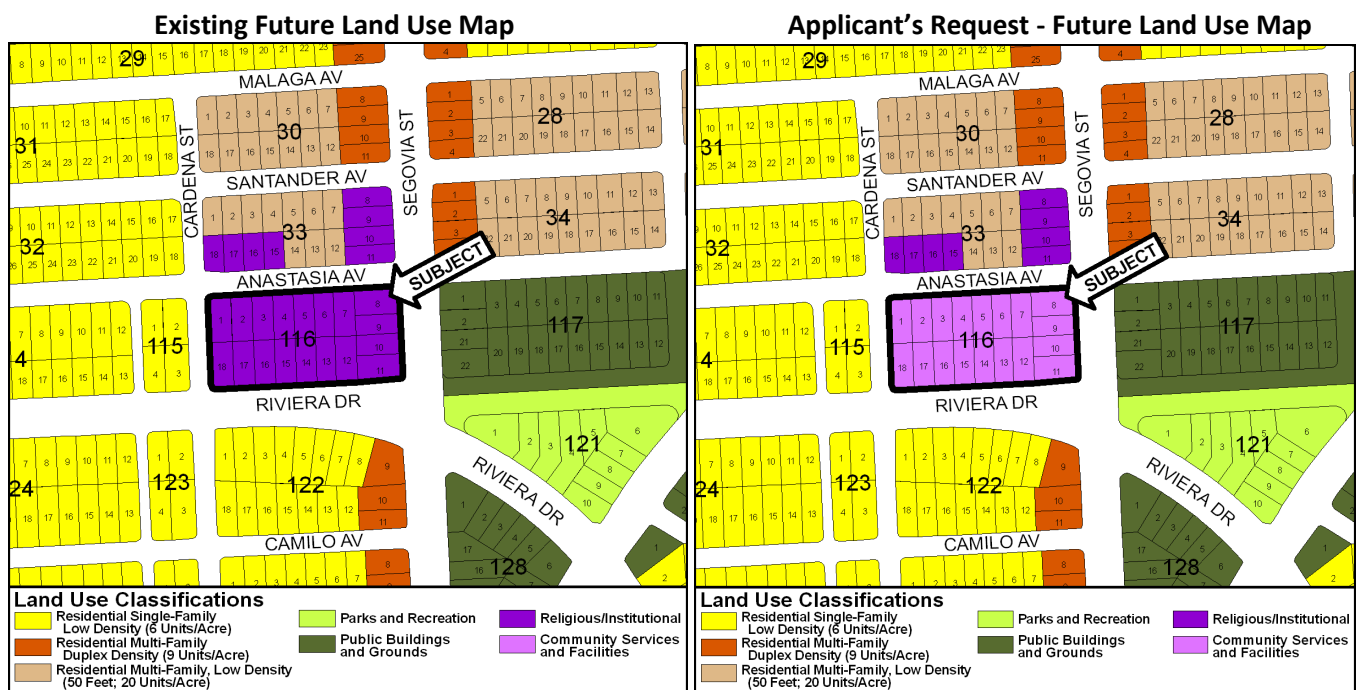


4. Findings of Fact.

This section of the report presents City Staff's evaluation and Finding's of Facts of the three (3) applications. The City's responsibility is to review the three (3) applications for consistency with the City's Comprehensive Plan (CP) Goals, Objectives and Policies, compliance with the Zoning Code and compliance with other applicable portions of the City Code.

Findings of Fact- Change in Land Use Application

The City's responsibility is to evaluate the application for the Change in Land Use for "Consistency" and "Inconsistency" with the Comprehensive Plan Goals, Objectives and Policies. The applicant is requesting a change to the City's Future Land Use Map designation from "Religious Institutional" land use to "Community Services and Facilities," as noted on the below mapping:



Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

The City of Coral Gables original master plan prepared by George Merrick included numerous community facilities throughout the City. This master plan included community facility land allocations (reservations) providing for places of worship, schools (all education levels including the University of Miami), parks, golf courses, civic centers, governmental uses, hotels, etc. Merrick's vision was to provide the uses and facilities that service the community as a whole, that were readily available and accessible. This vision is still prevalent today as is evident on the City's Future Land Use Map.

City staff evaluation of the Application for the Change the Land Use that provides for a community facilities (church and school) within neighborhoods is consistent with the historical and present development patterns of the City. As defined in the Comprehensive Plan, the proposed “Community Services and Facilities” land use designation is for *“buildings and adjacent land areas that serve a public and/or community function, including local, state, and federal government facilities; public and private schools and educational facilities (excluding University); medical and health facilities; and religious institutions”* (Policy FLU-1.16).

The Community Services and Facilities Land Use designation is included and intended to allow for the joint use of facilities for community uses necessary to support, protect, strengthen and enhance the City as a vibrant residential community. City Staff finds this Application is “Consistent” with the Community Services and Facilities Land use designation as both schools and churches are identified as permitted uses for joint use within a facility.

This proposal fulfills and furthers the following City policies to *“preserve Coral Gables as a “placemaker” where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses and providing facilities and services... which meet the social and economic needs of the community”* (Objective FLU-1 paraphrased):

Please find listed below Staff’s evaluation and Findings of Facts of the applicant’s Change in Land Use request . Staff finds the Application is “Consistent” with the following CP Goals, Objectives and Policies:

Education Element		
#	CP Goals, Objectives and Policies	Findings of Facts
1.	Objective EDU-1.3. The City shall coordinate with Miami-Dade County Public Schools in their efforts to obtain suitable sites for the development and expansion of public education facilities.	The City encourages and requests coordination with the Miami-Dade County Public Schools for review and comment on all schools proposed within the City of Coral Gables. All school sites within the City are required to have the appropriate land use and zoning designation. The application supports this objective.
2.	Policy EDU-1.3.1. Where possible, Miami-Dade County Public Schools should seek sites for future educational facility development which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.	The City supports the location of a school at the University Baptist Church site. This location is consistent with numerous other school and places of worship spread throughout the City as identified on the map on page 25 of this report.
3.	Policy EDU-1.3.3. When considering a site for possible use as an educational facility, Miami-Dade County Public Schools will review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and portable water, sanitary sewers, drainage, solid waste, police and fire services, and means by	The City supports the location of a school at the proposed site with its current 110 student capacity. However, increases in student enrollment that produce negative impacts such as increased traffic, traffic congestion and stacking/queuing back-ups created by the drop-off and pick-up of students, intrusion of off-site parking into the surrounding neighborhood resulting in deterioration of public

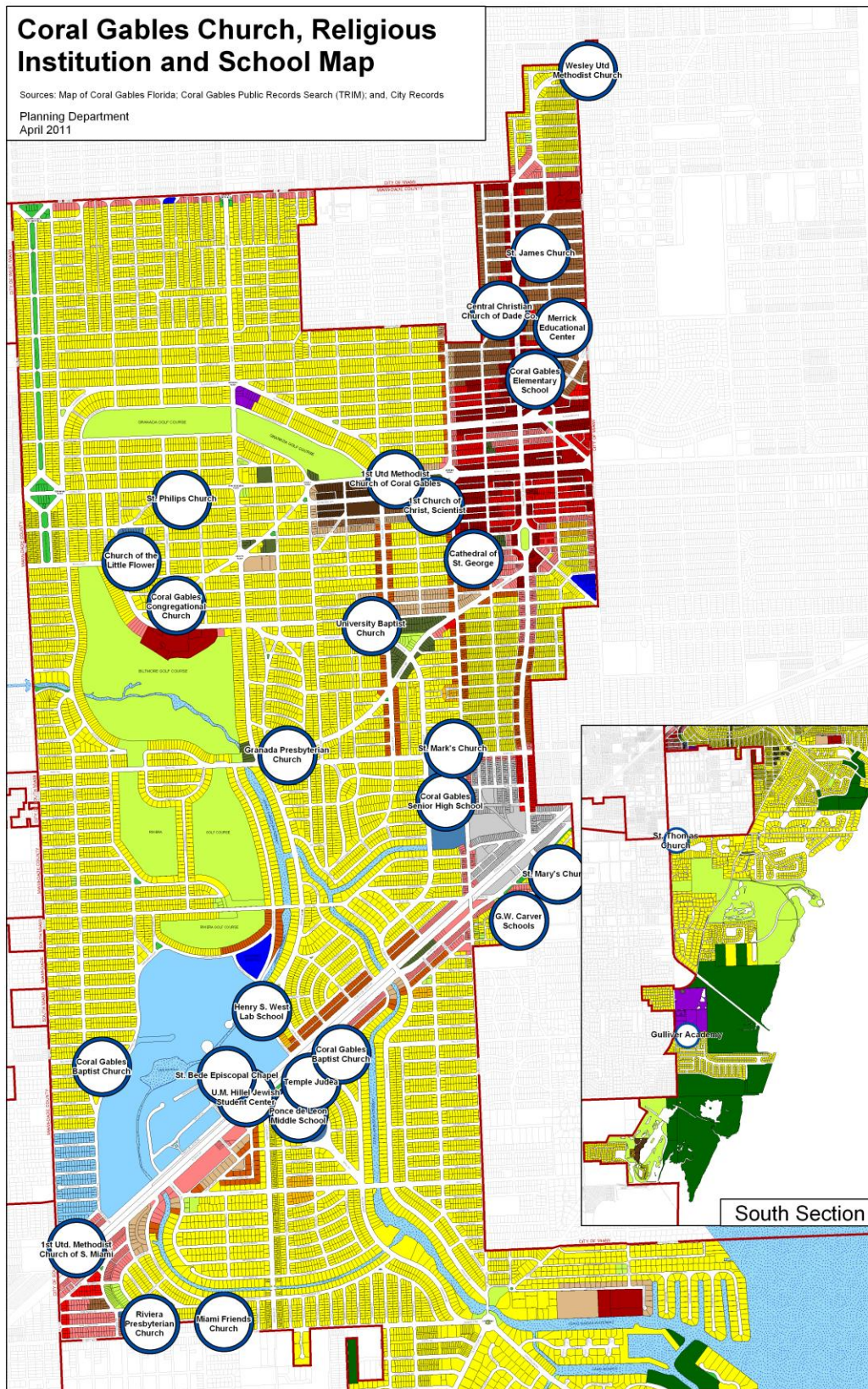
Education Element		
#	CP Goals, Objectives and Policies	Findings of Facts
	which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization.	swales, landscaping and pedestrian environment are not supported. The most important factor with the location of this school is to ensure child safety and the preservation of the quality of life of surrounding property owners.
4 .	Objective EDU-1.6. The City shall coordinate with Miami-Dade County Public Schools in developing community programs and opportunities to bring the schools and community closer together.	Coral Gables is primarily a residential community with schools, places of worship and other cultural and institutional uses interspersed within residential neighborhoods. The University Baptist Church site includes an existing 110 student school established in 1977 as well as adult and community services.
5 .	Policy EDU-1.7.1. Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure and positive about the students' school environment and experiences.	No modifications or building additions are requested. The size and capacity of the existing University Baptist Church buildings would remain the same.
6 .	Policy EDU-1.7.2. Miami-Dade County Public Schools is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.	As stated in Policy EDU-1.7.1, no additions are requested to the existing University Baptist Church buildings.
7 .	Policy EDU-1.7.3. Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities, in so far as funding is available, through renovation and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.	The City supports the renovation and expansion of existing school facilities as stated in Policy EDU-1.7.3 when it has been satisfactorily demonstrated that the request has no negative impacts including increased traffic, traffic congestion or vehicle stacking/queuing/ back-ups created by the drop-off and pick-up of students, the intrusion of off-site parking into the surrounding neighborhood and no deterioration of public swales, landscaping and pedestrian environment.
8 .	Objective EDU-1.8. Intergovernmental Coordination between Miami-Dade County Public Schools, the City, and other appropriate jurisdictions shall be established and implemented mechanism(s) for on-going coordination and communication, to ensure the adequate provision, compatibility, and quality of public educational facilities.	The City encourages the coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables to provide for adequate provision, compatibility, and quality of public educational facilities as stated in Objective EDU-1.8.
9.	Policy EDU-1.8.1. Coordinate with Miami-Dade County Public Schools, the State, and other appropriate jurisdictions and agencies to develop	The City encourages the coordination with the Miami-Dade County Public Schools and other adjoining jurisdictions and agencies for the review

Education Element		
#	CP Goals, Objectives and Policies	Findings of Facts
	or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.	and comment on all schools proposed within the City of Coral Gables. All school sites within the City of Coral Gables are required to have the appropriate land use and zoning designation.
10.	Policy EDU-1.8.2. The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.	The City supports future educational facilities where public facilities and services are available to accommodate the infrastructure needs of the educational facility.
11.	Policy EDU-1.8.8. Coordinate with Miami-Dade County Public Schools and other jurisdictions and agencies as appropriate to eliminate infrastructure deficiencies surrounding existing school sites.	A Concurrency Impact Statement (CIS) evaluating the available infrastructure capacity for each development proposal is submitted as a part of the application. The CIS was prepared for the proposed increase in student enrollment for the school at University Baptist Church, and it was found that adequate infrastructure capacity is available.
12.	Policy EDU-1.8.9. Coordinate with Miami-Dade County Public Schools to ensure the availability of adequate sites for the required educational facilities.	The City supports future educational facilities where public facilities and services are available to accommodate the infrastructure needs of the educational facility.
13.	Policy EDU-1.8.10. Coordinate with Miami-Dade County Public Schools as to the appropriate roles and responsibilities of affected governmental jurisdictions in ensuring the timely, orderly and efficient provision of adequate educational facilities.	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables. The City supports future educational facilities as stated in Policy EDU-1.8.9.

As is evident by the evaluation and Findings of Fact, the City supports the placement of schools, places of worship and other similar community based facilities within its neighborhoods. Places of worship and education are located throughout the City as is noted in the following mapping.

(See next page for mapping)

Places of Workshop and School Location Map



The subject property is designated as an “S”, Special Use Zoning classification. This classification is consistent with the Applicant’s Change in Land Use Application. Places of worship and schools throughout the City are assigned the Special Use Zoning classification. Any change in use, new uses, building additions, new construction within this classification are required to undergo “conditional use” review at public hearings. Therefore, any future expansion of this site shall be required to undergo public hearing review, public notice, etc.

In conclusion, Staff evaluation and Findings of Fact as provided herein, support the Applicant’s request for a Change to the City’s Future Land Use Map designation from Religious Institutional Land Use to Community Services and Facilities.

Findings of Fact- Conditional Use and Site Plan Review Applications

This section evaluates the two (2) Applications filed for Conditional Use and Site Plan Review. Of the fourteen (14) schools located within the borders of the City, it is important to note that only two (2) schools have requested and been granted City Commission approval for a increase in student population outside their original approval. The first was granted to Granada Presbyterian providing for an increase from 100 to 188 student in 1998 (via Ordinance No. 3325). However, this increase was only for Preschool students. Gulliver Academy was granted an increase from 975 to 1,162 students in 1998 (via Ordinance No. 3341). Since these requests, the City has updated all its codes extensively (i.e., Comprehensive Plan, Zoning Code and City Code) to provide for preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance. This was the primary purpose of the rewrite of the Comprehensive Plan in 1997 and most recent comprehensive rewrite of the Comprehensive Plan (2009) and Zoning Code (2007).

The Building and Zoning Department’s completed a Preliminary Zoning Analysis (hereinafter referred to as “PZA”), and the findings are summarized and included in the below tables. The PZA is provided as Attachment A. That analysis indicates that the proposed project meets all applicable Zoning Code requirements for building height, landscaping and setbacks. The site plan information is as follows:

Site Plan Analysis

Type	Permitted/Required	Proposed
Total site area	111,000 sq. ft. (2.6 acres)	111,000 sq. ft. (2.6 acres)
Floor area ratio (FAR)	0.35 FAR	0.55 FAR**
FAR x total site area =	38,500 sq. ft.	---
Adjusted sq. ft. of buildings (church & residential)*	---	60,652 sq. ft.
Building heights:	45’-0”	Complies
Landscaping	35%	Complies

* Source: Miami Dade County Property Data and Information File

**Property is an existing Non-conforming Use

Building Setbacks Analysis (Existing Building)

Type	Required	Provided*
- Front (Andalusia Avenue)	25 ft.	Complies
- Side street (Segovia Street)	15 ft.	Complies
- Side street (Cardena Street)	15 ft.	Complies
- Rear (Riviera Avenue)	5 ft.	Complies

Parking Analysis

The PZA indicates that seventy-three (73) on-site parking spaces are required for the School. Ninety (90) parking spaces are available onsite, therefore 17 additional parking spaces are available. A total of six (6) on-street parking spaces shall be removed based upon the Application. Please see the following table:

Parking Space Analysis

Campus Parking Lot	Existing	Proposed	Zoning Code requirements	Additional parking
On-site parking	90	90	73	17
On-street parking	46	40	---	---
Total	136	130	73	17

Traffic Analysis

The City retained Reynolds, Smith and Hill, Inc. (hereinafter referred to as “City’s Traffic Consultant”) to assist the Public Works Department in its review of traffic which would be generated should the Application be granted. The City’s Traffic Consultant reviewed the traffic information submitted by the Applicant, which includes the following:

1. Accumulation Assessment – Somerset UBC -03.25.2010.
2. Somerset Coral Gables UBC Campus (PK8) Traffic Impact Study-06.03.2010.
3. Additional Analysis for Somerset CG UBC Campus Traffic Study 06.07.2010.
4. Additional School Data and Analysis for Somerset CG UBC Campus Traffic Study-10.20.2010.
5. Comparative School Data for Somerset CG UBC Campus-12.13.2010.

Above referenced documents 1 thorough 4 were provided as part of the initial application submittal and document 5 was requested by City Staff to allow for further “comparative study.” The City is required to review the Application’s to determine if sufficient information is available to support the Application’s and if any proposed remedial actions are included to mitigate the request for the increase from 110 to 735 students. Various City Departments (i.e., Parking, Public Works, Fire, Police and Planning) and the City’s Traffic Consultant conducted detailed analysis of the Applicant’s information. This also included solicitation of information from Miami-Dade School Board Administrative staff and Miami-Dade County Public Works and Engineering. City staff and the City’s Traffic Consultant also conducted numerous field visits to various charter schools (including other Somerset Academy affiliated schools), private schools and public schools throughout the City and Miami-Dade County to evaluate potential traffic impacts. City Staff formulated its Recommendation and Findings of Facts based upon the review of the foregoing.

The City’s Traffic Consultant has provided a “Traffic Review Report, April 2011”, (hereinafter referred to as City Traffic Report”), which evaluates the information submitted by the Applicant. A copy of the Report is attached as Attachment B. The City’s Traffic Report includes an Executive Summary, Background, Conclusions and Appendices [i.e., Surrogate School Doral Academy Onsite queuing data, Miami-Dade Public Works Traffic Engineering Division Accumulation Study Form, Traffic Projections and Intersection LOS Analyses, School PM Peak Hour Traffic Generation, Site Plan, Comparative School Data, Mater Gardens AM/PM Onsite Queuing Data and Somerset Academy (16491 SW 134 Avenue) AM/PM Onsite Queuing Data].

The City’s Traffic Consultant’s conclusions are capsulated in the City’s Traffic Report, “Executive Summary” which indicates the following:

Reynolds, Smith and Hills, Inc. Executive Summary, Somerset Coral Gables, UBC Campus (PK-8), Traffic Review Report, April 2011.

"The proposed Somerset Coral Gables University Baptist Church (UBC) campus is located on the southwest corner of Segovia Street and Anastasia Avenue in Coral Gables. The existing site is currently operating as a Private School, Day Care, Religious Educational Center and Church. The site, which is bounded by Segovia Street (east), Anastasia Avenue (north), Cardena Street (west), and Riviera Drive (south) is surrounded by residential homes on all sides with the exception of Segovia Street (see Figure 1). The proposed plan consists on a public charter school with a maximum of 735 students in grades Pre-Kindergarten through Eighth (PK-8) grade. The site would have vehicular access via three (3) driveways; two (2) on Cardena Street and one (1) on Riviera Drive. The Riviera Drive access would be closed during the school's arrival and dismissal periods. The school would operate with three AM arrival and three PM dismissal periods with an equal number of students for each. The Applicant's Accumulation Assessment and Traffic Impact Study were conducted for a school with 735 students in grades Pre-Kindergarten through Eight (PK-8). The Accumulation Assessment used Doral Academy Elementary located at 2450 NW 97th Avenue, Doral, Florida as the surrogate school. Queuing and Parking data were collected at Doral Academy on February 8 and 9, 2010. Doral Academy has grades Pre-Kindergarten through Five (PK-5). It was reported that at the time of the survey, Doral Academy had a total of 768 students with one AM arrival and one PM dismissal period. Data was collected during the AM arrival period (7:00 AM – 9:00 AM) and PM dismissal Period (1:30 PM – 4:00 PM). The Doral Academy data was applied to the proposed Somerset UBC School in the Accumulation Assessment and Traffic Impact Study.

The Applicant's Accumulation Assessment under estimated the projected accumulation for the proposed school due to assumptions made concerning the dismissal operations for the surrogate school, Doral Academy. Based on our assessment, the projected accumulation for Somerset UBC would be 49 vehicles during each of the PM dismissal periods. The proposed site plan would accommodate 28 vehicles on-site. A projected accumulation of 49 vehicles would require 21 vehicles to spill back onto Cardena Street which can only accommodate 9 vehicles between the proposed site entrance and Anastasia Avenue (see Figure 1). The remaining 12 vehicles would either stack on Anastasia Avenue or use Riviera Drive. This condition would encourage parents to avoid the congestion and park on adjacent streets to walk to pick-up their child.

This conclusion demonstrates that the proposed Somerset UBC School could not accommodate 735 students with all passenger vehicles being queued within the site and would impact the adjacent neighborhood streets."

Additional comments were also provided by other Departments, namely the Police Department (hereinafter referred to as "Department"). The Department analyzed the Application and considered the impact of the roadways that lead to the School. The Department's analysis of vehicle traffic to/from the School noted that Segovia Street is a main thoroughfare, however, this roadway is not the only roadway that people will travel to and from the School. Riviera Drive to the south and Anastasia Avenue to the north will see an increase in traffic as well as many smaller arterial roads in the vicinity that lead in some way to Riviera Drive, Segovia Street and Anastasia Avenue. Though the numbers of additional vehicles will be the same at drop-off and dismissal, the Department expects that mornings will have the most impactful as far as adding to backups.

The Department also identified several pedestrian concerns. At all schools in the City, the Department has

observed students being dropped off and picked up at numerous locations surrounding school, always finding the “path of least resistance” to include time and distance. Students and parents, or guardians, determine what works best for them as far as a point of departure from the vehicle and a meeting place for return. More often than not, this departure takes place in the roadway from whatever lane and direction the vehicle is traveling. Similarly, the pick-up place is somewhere nearby but out of the congestion caused by the others doing the same thing. These varied locations place pedestrians in the roadways, often between vehicles and out of sight of other drivers, causing significant hazards to the pedestrian’s (students) safety. This is a significant impact on the Department resources. The Department finds that resources are taxed and significant number of resources are required. The Applicant has provided an operational plan, however, the Department has observed that as the students evolve to higher grades and age, these operational plans break down.

The Department also notes that all City schools experience significant offsite vehicle staging during student pick-up times. Vehicles arrive and line up wherever they can and wait to pick up their child. This is the Department’s greatest concern and most difficult to manage. These offsite impacts have been verified by both in field analysis and past complaints, which include the following: dead grass in front of homes, garbage, blocking the right of way and at times, conflict between drivers and homeowners. Year after year, the Department attempts to be very aggressive at the beginning of the school year in this area in an effort to “teach the new comers”, but it is an ongoing battle. As the City attracts more schools, and as a result more students, parents and vehicles, this is a difficult battle to conquer.

The Department also notes that a charter school is not recognized by the Miami-Dade County Public School Board Police as an area of responsibility. As such, any and all police calls for service and follow-up investigation become the responsibility of the City/Department. The Department responsibility is to service the community needs and the Department will continue to do the same. However, it is difficult to determine in advance the demands this School may place on the City’s Police services. A copy of the Department’s memorandum is provided as Attachment C.

Based upon the above conclusions and comments, City Staff is of the opinion that the proposed increase in student capacity from 110 to 735 students will have a negative effect on the surrounding the residential single family neighborhood. The inability to accommodate the quantity of all passenger vehicles queued within the site shall cause degradation and create nuisances to the surrounding neighborhoods. The projected accumulation of 49 vehicles would require 21 vehicles to “spill back” onto Cardena Street which can only accommodate 9 vehicles between the proposed site entrance and Anastasia Avenue. The remaining 12 vehicles would either stack on Anastasia Avenue or utilize Riviera Drive. The Applicant has not supplied sufficient information to substantiate if the request will mitigate neighborhood impacts and City Staff has determined the Application does not provide sufficient remedial measures or documentation.

Staff also concludes that the Level of Service (LOS) will diminish at the surrounding intersections (Cardena Street, Anastasia Avenue, Segovia Street and Riviera Drive) of the school. It is common practice, based upon field observations of other schools, residents in proximity to schools and pass-through vehicle will avoid all school areas during the AM student drop-offs and PM pick-ups. Likewise, with increased vehicle traffic activity, stopped vehicles, vehicle stacking/queuing on the streets contiguous to the school due to the AM drop-offs and PM pickups, vehicular traffic will increase on the periphery streets (Santander Avenue, Malaga Avenue, Catalonia Avenue, Camillo Avenue, Aledo Avenue and Anderson Road). City Staff refers to this phenomenon as the “avoidance factor.” It should also be noted that Segovia Street lanes will be reduced from its current four (4) lane configuration to Two (2) lanes.

Consistent with the Police Departments conclusions, other City Department's agree with the conclusion that as vehicles are not able to enter the onsite School queuing, the result will be, vehicles will pull offsite in close proximity to the School to drop of students to walk to the school. Adjacent roadway swales, on street, and offsite parking lots (i.e., Youth Center parking lots) will be utilized for student pickups/drop-offs. This is evidenced by City staff field visits to other schools throughout the City and Miami-Dade County. City Staff findings indicate that significant negative impacts will occur to the local environment including the following:

1. Degradation of the swales surrounding the school including but not limited to the expiration of lawn grasses, under and overstory vegetation.
2. Degradation of the swales surrounding the single family residential residences immediately contiguous to the school as well as adjoining streets.
3. Compromise of drainage relative to the expiration of grass and possible parking "ruts" created by parking in the swale areas.
4. Parking of vehicles over the sidewalk, blocking student/pedestrian access/flow. Parking on and over sidewalk is a violation of Zoning Code, Section 5-1404(C).
5. Parking of vehicles offsite shall result increased offsite vehicular and pedestrian conflicts. Students would be traversing all sides of the property, crossing streets outside of crosswalks, etc. Any student drop-offs outside the confines/boundaries of the site shall severely compromise the life, health and safety of students.
6. Potential nuisances to the above shall also include increased trash, noise from the slamming of vehicle doors and possible proliferation of excessive numbers of "no parking" signage which will diminish the visual attractiveness of the residential neighborhood.

Other secondary effect off-site impacts that will occur, shall be at which time the school hosts larger school events onsite where vehicle parking or the event itself cannot be accommodated on site. The applicant has submitted a summary of special events and estimated attendance that will occur at the school. Typically, schools when undergoing the conditional use and site plan review process, submit a "special events traffic management plan" that addresses vehicular traffic movements and parking during events at the school. These plans categorize event types by attendance and require a specified number of off-duty police/security officers to manage and direct traffic for each type of event. These management plans provides alternatives for any overflow parking that occurs when the amount of parking exceeds the available on-site parking spaces. A management plan was not submitted, therefore, no specific operational regulations or safeguards exist which govern the use and operations of the property to insure surrounding properties are not negatively impacted. In the opinion of City Staff, the Application does not provide sufficient operational and use safeguards to allow for the operation of the facility in concert with surrounding residential properties. These management plans have included restrictive conditions that are similar, if not identical to other limitations that have been placed upon other school facilities within residential areas of the City. As an example, a simple element to mitigate impacts of schools include the installation of "no parking" signs. This is not included on the Applicant's Parking Plan.

Enforcement typically is the solution to effective implementation of rules and regulation. However, enforcement is not a recommended alternative for the management of offsite activities for this Application. This is not an effective tool for the management of offsite activities. The City has the duty to enforce its codes, and has the discretion to interpret its Codes, however, the responsibility to monitor and ensure no impact occurs lies with the Applicant and/or property owners.

Zoning Code Review Criteria

The City's Zoning Code Section 1-103., titled "Purpose of the City of Coral Gables Zoning Code" provides an exceptional summary of the principles, values and ideology of the Zoning Code. Staff has highlighted in bold text those provisions applicable to these applications under consideration:

*"The purpose of the City of Coral Gables, Florida Zoning Code is to implement the Comprehensive Plan (CP) of the City pursuant to Chapter 163, Florida Statutes **for the protection and promotion of the safety, health, comfort, morals, convenience, peace, prosperity, appearance and general welfare of the City and its inhabitants**, and more specifically for the following purposes:*

- A. *To protect the distinctive historic and architectural character of the City which is unique throughout South Florida and the world.*
- B. *Continue to foster community pride and a sense of stewardship that have motivated the property owners and residents of the City in the improvement and maintenance of property in the City.*
- C. *To preserve the basic comprehensive plan and layout of the City by its forefathers, more specifically George Merrick.*
- D. ***Insure the application and administration of these regulations imposed herein continue to improve the overall quality of life and promote development of the City as has been guided since its establishment.***
- E. ***To preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance.***
- F. *Provide for the preservation and protection of flora and fauna, more specifically the City's lush tree canopy.*
- G. ***Provide for efficiency and economy in the process of stable and orderly development, for the appropriate and best use (not necessarily the most economic use) of land in accordance with standards established by the will of the residents while protecting property values.***
- H. ***Promote preservation, protection, development and conservation of the natural resources of land, water and air, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, in accordance with maximum densities of the CP.***
- I. *Provide for adequate and efficient public utilities and facilities for the preservation and promotion of the natural and civic amenities of beauty and visual interest.*
- J. ***Establish zoning districts as a means of achieving unified civic design and proper relationship between the uses of land by regulating the location and use of buildings, signs and other structures, and land or water for trade, agriculture, industry and residence, by providing adequate buffers, by regulating and limiting or determining the height, bulk and access to light and air of buildings and structures, the area of yards, and other open spaces, and the density of use. To accomplish these objectives, the regulations and districts and accompanying maps have been designed with reasonable consideration, among other things, to maintain the character of the districts, and their peculiar suitability for particular uses, and they are to be regularly reevaluated in order to best accomplish the above objectives.***
- K. ***To protect property values and the enjoyment of property rights by minimizing and reducing conflicts among various land uses through the application of regulations designed to assure harmonious relationships among land uses."***

Staff's Findings: Based upon the Findings of Facts provided herein (specifically pages __ to __), Staff finds Conditional Use and Site Plan Application does not satisfy Zoning Code Section 1-103., titled "Purpose of the City of Coral Gables Zoning Code", with special emphasis noted in the bold highlighted text.

Conditional Use Review Criteria

The Applicant's proposed expansion of student population is considered a "Conditional Use" and therefore requires review and evaluation pursuant to various sections of the City's Official Zoning Code. To provide an overview of the purpose and intent of the Conditional Use provisions, Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability" provides for the following:

"The purpose of providing for conditional uses within each zoning district is to recognize that there are uses which may have beneficial effects and serve important public interests, but which may, but not necessarily, have adverse effects on the environment, particularly residential areas, overburden public services, or change the desired character of an area. Individualized review of these uses is necessary due to the potential individual or cumulative impacts that they may have on the surrounding area or neighborhood. The review process allows the imposition of conditions to mitigate identified concerns or to deny the use if concerns cannot be resolved."

Staff's Findings: Based upon the Findings of Facts provided herein. Staff finds Conditional Use and Site Plan Application does not satisfy Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability. Staff review notes the application providing for a student increase from 110 to 735 students as filed, does not have any beneficial effects and does not serve important public interest and will have adverse effects on the environment, particularly residential areas, and will change the desired character of an area.

Zoning Code Article 3, Division 4, Section 3-403., "Application," provides that an application for conditional use approval shall include a site plan. This request does include a site plan. City staff responsibility is to review of the application for Conditional Use and Site Plan is in accordance with Article 3, Division 4, "Conditional Uses," Section 3-408., "Standards for review." These provisions require the Planning and Zoning Board and the City Commission to provide Findings of Fact that a Conditional Use complies with the following standards and the criteria applicable to each conditional use:

- A. *The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.*

Staff's Findings: As concluded in this report, the Conditional Use and Site Plan Applications as filed, are "Inconsistent" with the Comprehensive Plan's Goals, Objectives and Policies. See City Staff Findings of Fact for the following Elements of the City CP: Administration Element, Future Land Use Element, Design Element, Mobility Element, Natural Resources Element and Education Element.

- B. *The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.*

Staff's Findings: The renovation and expansion of existing school facilities is encouraged when it has been satisfactorily demonstrated no negative impacts shall occur. The proposed increase in student capacity of the school located at the University Baptist Church from 110 to 735 students will affect the surrounding neighborhood negatively based upon the Findings of Facts provided herein. Furthermore, the Applicant has not provided any substantial plans to mitigate the negative impacts of the increase in students, which include traffic, noise and congestion.

- C. *The proposed conditional use does not conflict with the needs and character of the neighborhood and the City.*

Staff's Findings: Coral Gables is primarily a residential community with schools, places of worship and other cultural and institutional uses interspersed within residential neighborhoods. The secondary effects as described in the Findings of Facts provided herein will result in the degradation in the quality of life of the surrounding neighborhood. The Application has not supplied sufficient documentation to mitigate impacts on the surrounding residential neighborhood.

- D. *The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.*

Staff's Findings: No physical features are provided that would provide adequate buffer the or mitigate the use form the surrounding residential neighborhood. The proposed increase in student capacity of the school from 110 to 735 students will adversely or unreasonably affect the use of other property in the area based upon the Findings of Facts provided herein. Cars parked in the public rights-of-way to drop-off and pick-up children will result in the deterioration of existing swale landscaping that would provide a visual buffer. Parking along public swales for this purpose represents an encroachment and intrusion of an incompatible use into the surrounding residential neighborhood and a hazard to child safety and the pedestrian environment.

- E. *The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.*

Staff's Findings: No building improvements or additional structures are proposed. The existing church buildings would remain the same, but the utilization of the subject property and facilities relative to the increase in students will increase dramatically. The increased demand will place an inordinate burden on the site's capacity and use as originally intended resulting in child safety and quality of life issues, increased traffic, off-site parking and deterioration of public swales, lack of adequate buffering measures or improvements to the pedestrian environment, increased visual blight and the fragmentation and general deterioration of the quality of life for the surrounding residential neighborhood.

- F. *The parcel proposed for development is adequate in size and shape to accommodate all development features.*

Staff's Findings: The proposed student drop-off and pick-up plan submitted with the Application will not adequately serve the increased student enrollment and will result in increased vehicular congestion of roads and intersections surrounding the school and stacking back-ups, increased waiting times and parking in the public swales in the surrounding residential neighborhood. Increased traffic and parking congestion will result in pedestrian and child safety issues and the deterioration in the quality of life in the surrounding residential neighborhood.

- G. *The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.*

Staff's Findings: The proposed site will not adequately serve the increased student enrollment and will result in an increase in vehicular congestion of roads and intersections surrounding the school and parking along public swales. This would be detrimental to the health, safety and general welfare of the community by representing an encroachment and intensification of an incompatible use into the surrounding residential neighborhood and a hazard to child safety and the pedestrian environment as well as the deterioration of public swales and increased visual blight.

- H. *The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.*

Staff's Findings: No off-site parking management program or pedestrian circulation plan beyond the perimeter of the school property was provided with the submitted Application. The proposed student drop-off and pick-up plan submitted with the application will not adequately serve the increased student enrollment and will increase vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. This will result in the deterioration of public swales and existing landscaping, the potential proliferation of "no parking" signage and the creation of visual blight that will diminish the community aesthetic values of the surrounding residential neighborhood.

- I. *The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.*

Staff's Findings: A Concurrency Impact Statement (CIS) evaluating the available infrastructure capacity for each development proposal submitted. A CIS was prepared for the proposed increase in student enrollment for the school at University Baptist Church, and it was found that adequate infrastructure capacity is available.

Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

It is important, to again highlight that this request for an increase in student population and this request is the first of its kind since the enactment of the comprehensive rewrite of the Comprehensive Plan (2009) and comprehensive rewrite of the Zoning Code (2007). This is important since the comprehensive rewrite of the Comprehensive Plan in 2009, included numerous additional Goals, Objectives and Policies (GOP's) to further

strengthen the City commitment to preservation of residential to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance.

Based upon the City Staff conclusions, City Staff finds the Conditional Use and Site Plan Application, as filed, to permit a student increase of an existing Charter School from 110 students to a maximum 735 students to be “Inconsistent” with the following CP Goals, Objectives and Policies.

Future Land Use Element		
#	CP Goals, Objectives and Policies	Findings of Fact
8	Goal FLU-1. Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.	The proposed increase in student enrollment significantly intensifies an existing incompatible use creating an additional intrusion into the surrounding residential neighborhood. The size and capacity of the existing church buildings would remain the same, but significantly increase the utilization of the facilities for school use. The school serves a regional area, with the majority of children transported by vehicles to and from the school. This will require students to be transported to and from the school resulting in increased vehicular congestion on adjoining roads and intersections, stacking back-ups and parking in public swales in the surrounding residential neighborhood during drop-off and pick-up of students, pedestrian and child safety issues, visual blight and fragmentation of the surrounding residential neighborhood.
9	Objective FLU-1.1. Preserve Coral Gables as a “placemaker” where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map.	Coral Gables is primarily a residential community with schools, churches and other cultural and institutional uses interspersed within residential neighborhoods. Increased enrollment at the proposed site could be achieved when adequate provisions are provided to mitigate the negative impacts of increased traffic, traffic congestion and stacking back-ups created by the drop-off and pick-up of students, the intrusion of off-site parking into the surrounding neighborhood and the deterioration of public swales, landscaping and pedestrian environment, and ensure child safety and the quality of life of surrounding property owners is maintained.
10	Policy FLU-1.3.2. All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the	The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school. The proposed student drop-off and pick-up plan submitted with the application will not adequately serve the increased student enrollment and will result in increased vehicular congestion of roads and intersections surrounding the school and stacking back-ups,

Future Land Use Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	<p>protection from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</p> <p>The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code.</p>	<p>increased waiting times and parking in the public swales in the surrounding residential neighborhood. Increased traffic and parking congestion will result in pedestrian and child safety issues and the deterioration in the quality of life in the surrounding residential neighborhood.</p>
11	<p>Policy FLU-1.3.3. Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such as residential uses.</p>	<p>Insufficient physical features identified in Policy FLU-1.3.3 are provided with the submitted plans that would buffer the surrounding residential neighborhood. Cars parked in the public rights-of-way to drop-off and pick-up children will result in the deterioration of existing swale landscaping that would provide a visual buffer. Parking along public swales for this purpose represents an encroachment and intrusion of an incompatible use into the surrounding residential neighborhood and a hazard to child safety and the pedestrian environment. The deterioration of public swales and existing landscaping and potential proliferation of “no parking” signage would diminish the visual attractiveness of the residential neighborhood.</p>
13	<p>Objective FLU-1.14. The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods.</p>	<p>The applications do not provide sufficient protective measures to alleviate potentially negative impacts created by the application regarding child safety and quality of life issues resulting from increased traffic, off-site parking and utilization of public rights-of-way, and the other aspects of the proposed intrusion of an incompatible use into the surrounding residential neighborhood.</p>
15	<p>Objective FLU-1.17. The City acknowledges the need to locate schools proximate to urban residential areas and, where possible, collocate public facilities, such as parks, libraries and community centers with schools.</p>	<p>The City acknowledges the location of an existing school at the University Baptist Church site. The potential expansion of that existing use may be justified when adequate provisions are provided to mitigate the negative impacts of increased traffic, traffic congestion and stacking back-ups created by the dropping-off and picking-up of students, the intrusion of off-site parking into the surrounding neighborhood and the deterioration of public swales, landscaping and pedestrian environment, and the incorporation of provisions to ensure child safety and the quality of life of surrounding property owners is maintained.</p>

Design Element		
#	CP Goals, Objectives and Policies	Findings of Fact
16	Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.	Coral Gables is primarily a residential community with schools, churches and other cultural and institutional uses interspersed within the residential neighborhoods. Increased enrollment at the proposed site could be achieved when adequate provisions are provided to mitigate the negative impacts that are identified in Objective FLU-1.1.
17	Objective DES-1.1. Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.	Numerous issues have been identified resulting from the increased student enrollment that would negatively impact the surrounding residential neighborhood that has not been addressed in the site plans submitted with the application. Those include child safety and quality of life issues resulting from increased traffic, off-site parking and deterioration of public rights-of-way, lack of adequate buffering measures and the impact on the existing pedestrian environment that would result from this proposal.
19	Policy DES-1.1.3. Ensure that the design of buildings and spaces in historic areas of the City complements, is compatible with, does not attempt to imitate and does not undermine the City's historic character.	Coral Gables is primarily a residential community with schools, churches and other cultural and institutional uses interspersed within residential neighborhoods. The proposed increase in student enrollment at the University Baptist Church significantly intensifies an existing incompatible use creating an additional intrusion into the surrounding residential neighborhood resulting in the issues identified in Objective DES-1.1.
20	Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.	The size and capacity of the existing church buildings would remain the same, but significantly increase the utilization of the facilities for school use. The increased demand will place an inordinate burden on the site's capacity and use as originally intended, resulting in the issues identified in Objective DES-1.1, the potential proliferation of "no parking" and directional signage and fragmentation of land uses within the surrounding neighborhood.
21	Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.	The character of this residential neighborhood would be negatively impacted due to the increased student enrollment as described in Objective DES-1.1 and Policy DES-1.1.5.

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
22	Goal MOB-1. Provide accessible,	The school serves a regional area, with the majority of children

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	attractive, economically viable transportation options that meet the needs of the residents, employers, employees and visitors through a variety of methods.	transported by vehicles to and from the school. The proposed student drop-off and pick-up plan submitted with the application will not adequately serve the increased student enrollment and will result in increased vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. In order to alleviate vehicular congestion, encourage the incorporation of urban design features that provide for accessible, attractive, economically viable transportation options similar to the recommendations provided in "Safe Routes to School" prepared by the U.S. Department of Transportation Federal Highway Administration.
23	Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.	Incorporation of the urban design features recommended in "Safe Routes to School" would assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.
24	Policy MOB-1.1.4. Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.	Incorporation of the urban design features recommended in "Safe Routes to School" would assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.
25	Policy MOB-1.1.8. Protect residential areas from parking impacts of nearby nonresidential uses and businesses and discourage parking facilities that intrude, impact and increase traffic into adjacent residential areas.	The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school every day as well as the amount of parking necessary for special events (i.e. parent-teacher conference, school play, etc.). No off-site parking management program was provided with the submitted application. The proposed student drop-off and pick-up plan submitted with the application will not adequately serve the increased student enrollment and will increase vehicular congestion

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
		of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. This will result in the deterioration of public swales and existing landscaping, the potential proliferation of “no parking” signage and the creation of visual blight that will diminish the community aesthetic values of the surrounding residential neighborhood.
26	Goal MOB-2. The City will maintain and enhance a safe, convenient, balanced, efficient and interconnected multi-modal system consisting of vehicular, transit, bicycle, and pedestrian transportation options; and will be coordinated with the City’s Comprehensive Plan while maintaining the economic viability of the City’s businesses, and continued enhancement of the quality of life for the City’s neighborhoods.	The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school and increase the vehicular congestion of roads and intersections surrounding the school. No proposed pedestrian circulation plan has been provided beyond the perimeter of the school property (see Sheet A020B) and the future bicycle lanes along Anastasia Avenue, Riviera Drive and Segovia Street are not included in the proposed site plan (see Comprehensive Plan Map Series MOB-1: Bicycle Facilities Map). Incorporation of the urban design features recommended in “Safe Routes to School” would assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the pedestrian environment and residential streets as stated in Goal MOB-1.
27	Policy MOB-2.3.1. The City shall, as a part of its development review process, continue to maximize utilization of existing roadway capacity and reduce peak period congestion by implementing to the maximum extent feasible, traffic operation improvements and transportation systems management alternatives including but not limited to the following: <ul style="list-style-type: none"> • Limitations of the number and width of vehicular driveways/curbcuts on streets to minimize pedestrian intrusion/obstacles. • Improved signal timing. • Intersection signing, markings, channelization. • Restrictions and management of on street parking. 	No comprehensive traffic improvement plan or off-site parking management program were provided with the submitted application. The proposed student drop-off and pick-up plan submitted with the application will not adequately serve the increased student enrollment which will increase vehicular congestion of roads and intersections surrounding the school from stacking/queuing back-ups, resulting in increased waiting times and parking in public swales in the surrounding residential neighborhood. No proposed pedestrian circulation plan has been provided beyond the perimeter of the school property (see Sheet A020B) and the future bicycle lanes along Anastasia Avenue, Riviera Drive and Segovia Street are not included in the proposed site plan. “Safe passage” along and through the pedestrian environment is an important issue for child safety and the maintenance of quality of life for the surrounding residential neighborhood.

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	<ul style="list-style-type: none"> • The use of mass transit and paratransit services. • Possible expansion of routes of the existing trolley system. • Continue improvements of the existing trolley system (i.e., additional cars). • Employer based van pooling, car pooling. • Employer based staggered and/or flexible work hours. • Provisions for the accommodation of bicycles and associated bicycle support facilities. 	
28	<p>Policy MOB-2.3.3. High frequency accident locations shall be monitored by maintaining detailed data acquired by the City from other agencies, in order to provide accident/crash related information and to maintain an early warning system as to the identification of serious deficiencies and the development of potential roadway and other transportation improvements and measures to address the identified hazardous conditions.</p>	<p>The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school and increase the vehicular congestion of roads and intersections surrounding the school. No comprehensive traffic improvement plan was provided with the submitted application for the roads and intersections surrounding the school site. The increased potential for vehicular accidents and vehicle/student conflict within the public rights-of-way of the surrounding neighborhood is a critical child and pedestrian safety issue.</p>
29	<p>Policy MOB-2.3.4. The City shall require private and public development projects to adhere to the City's Citywide Bicycle Lane Master Plan, 2004 and possible expansion of bicycle and pedestrian ways throughout the City (see MOB-1: Bicycle Facilities Map).</p>	<p>Incorporation of the future bicycle lanes along Anastasia Avenue, Riviera Drive and Segovia Street are not included in the site plan submitted with the application. No proposed pedestrian circulation plan has been provided beyond the perimeter of the school property (see Sheet A020B).</p>
30	<p>Policy MOB-2.3.5. As a part of development review, the City shall promote the safe movement of bicycle and</p>	<p>No proposed pedestrian circulation plan has been provided beyond the perimeter of the school property (see Sheet A020B) and the future bicycle lanes are not included in the site plan submitted with the application. Incorporation of the urban design features</p>

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	pedestrian traffic.	recommended in “Safe Routes to School” would assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.
31	Policy MOB-2.6.2. The City shall require the dedication of the appropriate share of the necessary right-of-way from all developments at the time of development to maintain vehicular circulation in association with pedestrian circulation as provided for within this element.	No proposed pedestrian circulation plan has been provided beyond the perimeter of the school property (see Sheet A020B). Off-site student drop-off and pick-up would be a hazard to child safety, negatively impact the pedestrian environment and result in the deterioration of public swales and existing landscaping and the potential proliferation of “no parking” signage within the public rights-of-way.
32	Objective MOB-2.7. The City’s Comprehensive Plan, this element and all applicable plans and programs shall protect and minimize any potential traffic impacts to the community and residential neighborhoods.	The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school. The proposed student drop-off and pick-up plan will not adequately serve the increased student enrollment and will result in increased vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. Increased traffic and parking congestion will result in pedestrian and child safety issues and the deterioration in the quality of life in the surrounding residential neighborhood.
33	Policy MOB-2.7.1. The City shall, via the review of development projects and city transportation improvement projects, conserve and protect the character and livability of all residential neighborhoods by preventing the intrusion of through vehicles on local and collector streets. The City shall discourage through traffic in neighborhoods and may incorporate traffic management and calming measures including, but not limited to, signage, landscape design, traffic calming devices and roadway design.	The increase in student enrollment will result in negative community impacts identified in Objective MOB-2.7. No proposed pedestrian circulation plan has been provided beyond the perimeter of the school property (see Sheet A020B) and the future bicycle lanes are not included in the site plan submitted with the application. Incorporation of the urban design features recommended in “Safe Routes to School” would assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the pedestrian environment and residential streets as stated in Goal MOB-1.
34	Policy MOB-2.7.2. Major thoroughfares and intersections should be located and designed	The increase in student enrollment will result in increased vehicular congestion of roads and intersections surrounding the school and stacking back-ups, and contribute to increased waiting times and

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	in a manner which would not tend to sever or fragment land which is or could otherwise be developed as well defined residential neighborhoods.	parking in public swales in the surrounding residential neighborhood for the drop-off and pick-up of students. Increased traffic and parking congestion will result in pedestrian and child safety issues, fragmentation of the surrounding residential neighborhood, and the deterioration in quality of life.
35	Objective MOB-2.8. The City shall plan and ensure development of a transportation system that preserves environmentally sensitive areas, conserves energy and natural resources, and maintains and enhances community aesthetic values.	The increase in student enrollment will increase vehicular congestion on roads and intersections surrounding the school and use of public swales in the surrounding residential neighborhood for the drop-off and pick-up of students which will result in the deterioration of the public swales and existing landscaping, and potential proliferation of “no parking” signage that will diminish the community aesthetic values of the surrounding residential neighborhood.
36	Policy MOB-2.8.1. The City shall continue implementation and further strengthen the City’s existing land development regulations requiring the placement of landscaping within rights-of-way to complete the following: <ul style="list-style-type: none"> • Promote expansion of the City’s existing tree canopy. • Provide screening of potentially objectionable uses. • Serve as visual and sound buffers. • Provide a comfortable environment for pedestrian walking (walkability) and other activities. • Improve the visual attractiveness of the urban and residential areas (neighborhoods). 	Cars parked in the public rights-of-way to drop-off and pick-up children will result in the deterioration of existing tree canopy and buffering landscaping. Parking along public swales for this purpose represents the intrusion of an incompatible use into the surrounding residential neighborhood. Off-site student drop-off and pick-up would be a hazard to child safety and negatively impact the pedestrian environment. The deterioration of the public swales and existing landscaping, and potential proliferation of “no parking” signage would diminish the visual attractiveness of the residential neighborhood.
37	Objective MOB-3.2. Protect single-family neighborhoods from commercial traffic intrusion.	The increase in student enrollment will result in increased vehicular congestion of roads and intersections surrounding the school, intrusion of traffic and parking onto surrounding local residential streets resulting in child safety issues, deterioration of public swales negatively impacting the existing pedestrian environment and quality of life of the surrounding residential neighborhood.
38	Policy MOB-3.2.1. Continue the	No provisions have been offered or provided with the submitted

Mobility Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	use and improvement of the City's established Residential Parking Zone (RPZ) opportunities to protect single-family residential neighborhoods from parking and traffic intrusion. On an annual basis, evaluate neighborhoods and promote the establishment of the RPZ where substantial intrusion is occurring.	application to adequately ensure child safety and to protect the surrounding residential neighborhood from the negative impacts of increased vehicular congestion of roads and intersections surrounding the school and intrusion of traffic and parking onto surrounding local residential streets identified in Objective MOB-2.7, Policy MOB 2.7.1 and 2.7.2, Objective MOB 2.8 and Policy MOB 2.8.1.

Natural Resources Element		
#	CP Goals, Objectives and Policies	Findings of Fact
39	Objective NAT-1.1.1. Maintain the best possible air quality , meeting or exceeding state and federal air quality standards.	The increase in student enrollment will result in an increase in the number of vehicles idling while dropping-off and picking-up students at the school.
40	Policy NAT-1.1.1.1. The City shall support enforcement of applicable standards for air quality to control significant emissions of air pollutants in order to maintain and improve the existing air quality, including enforcement of City ordinances which prohibit open burning and excessive vehicle exhausts.	The increase in student enrollment will result in an increase in the number of vehicles idling while dropping-off and picking-up students at the school. The proposed student drop-off and pick-up plan will not adequately serve the increased student enrollment and will result in vehicular congestion and stacking back-ups and increased waiting/idling times.
41	Policy NAT-1.1.2. Prohibit open burning and excessive vehicle exhausts.	The proposed student drop-off and pick-up plan will not adequately serve the increased student enrollment and will result in vehicular congestion and stacking back-ups and increased waiting/idling times (see Policy NAT-1.1.1).

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
42	Goal EDU-1. The City cooperates with Miami-Dade County Public Schools and other appropriate governmental agencies in the development, operation, and maintenance of a system of public education, and strives to improve the quality and	The City encourages and requests coordination with the Miami-Dade County Public Schools and all other appropriate government agencies for review and comment on all schools proposed within the City of Coral Gables with the goal of improving the quality and quantity of public educational facilities available to the citizens of the City of Coral Gables and Miami-Dade County.

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	quantity of public educational facilities available to the citizens of the City of Coral Gables and Miami-Dade County.	
43	Objective EDU-1.1. The City shall promote the reduction of school overcrowding in Miami-Dade County Public Schools , while striving to attain an optimum level of service (LOS) as defined in this Element. The City will work to provide additional solutions to overcrowding so that public school enrollment in the City of Coral Gables will meet state requirements for class size by September 1, 2010.	City Staff analysis has found that both public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded. Table ____ indicates that there exists additional available capacity for students within existing school facilities.
44	Policy EDU-1.1.1. Coordinate with Miami-Dade County Public Schools in their efforts to continue to provide new student stations through the Capital Outlay program, in so far as funding is available.	The City supports the creation of new student work station throughout the County. However, an increase in the existing student enrollment at the University Baptist Church site can only be supported when adequate provisions are provided to mitigate the negative impacts of increased traffic, traffic congestion and stacking/queuing back-ups created by the drop-off and pick-up of students, the intrusion of off-site parking into the surrounding neighborhood and the deterioration of public swales, landscaping and pedestrian environment, and ensure child safety and the quality of life of surrounding property owners is maintained.
45	Policy EDU-1.1.3. Coordinate with Miami-Dade County Public Schools in their efforts to develop and implement alternative educational facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools , in so far as funding and rules permit.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have the capacity for additional students.
46	Policy EDU-1.1.4. Coordinate with Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have additional available capacity for students.

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	optimum capacity , in so far as funding is available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.	
47	Policy EDU-1.1.5. Coordinate with Miami-Dade County Public Schools in their efforts to maintain and/or improve the established LOS, for Public Educational Facilities, as established for the purposes of school concurrency.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have additional available capacity for students.
48	Policy EDU-1.2.1. Beginning January 1, 2008, the adopted LOS standard for all public school facilities within and served by the City of Coral Gables is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (With Relocatable Classrooms). This LOS standard, except for magnet schools, shall be applicable in each public school Concurrency Service Area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools. The adopted LOS standard for Magnet Schools is 100% of FISH (With Relocatable Classrooms), which shall be calculated on a district wide basis.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have additional available capacity for students.
49	Policy EDU-1.2.3. In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed, provided at least one of	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have the capacity for additional students.

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	<p>the following options is satisfied:</p> <ul style="list-style-type: none"> • The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or in part, within the same Miami-Dade County Public Schools designated geographic areas (Northwest, Northeast, Southwest, or Southeast) as the proposed development; or, • The development's impact is mitigated, proportionate to the demand for public schools it created, pursuant to a Proportionate Share Mitigation Agreement through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180 (13)(e)1, Florida Statutes, as amended. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms that include, one or more of the following: (1) contribution of land; (2) the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or (3) the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits. The 	

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	<p>Proportionate Share Mitigation Agreement is subject to approval by Miami-Dade County Public Schools and the City of Coral Gables City Commission and must be identified in the Miami-Dade County Public Schools Facilities Work Program; or,</p> <ul style="list-style-type: none"> The development's impacts are phased to occur when sufficient capacity will be available. <p>If none of the above conditions is met, the development shall not be approved.</p>	
50	Policy EDU-1.2.5. Ensure, via the implementation of the concurrency management system and Miami-Dade County Public School Facilities Work Program for educational facilities, that existing deficiencies are addressed and the capacity of schools is sufficient to support residential development at the adopted LOS standards throughout the planning period in the 5-year schedule of capital improvements.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have the capacity for additional students.
51	Policy EDU-1.3.4. When considering a site for possible use as an educational facility Miami Dade County Public Schools will consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.	The proposed increase in student enrollment of the school located at the University Baptist Church significantly intensifies an existing incompatible use creating an additional intrusion into the surrounding residential neighborhood. The size and capacity of the existing church buildings would remain the same, but the proposal would significantly increase the utilization of the facilities for school use. The school serves a regional area, with the majority of children transported by vehicles to and from the school. This will require students to be transported to and from the school resulting in increased vehicular congestion on adjoining roads and intersections, stacking back-ups and parking in public swales in the surrounding residential neighborhood during drop-off and pick-up of students, pedestrian and child safety issues, visual blight and fragmentation of the surrounding residential

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
		neighborhood.
52	Policy EDU-1.3.6. The City shall encourage Miami-Dade County Public Schools to submit proposed site plans for public school facilities in the City of Coral Gables to the City for its review and comment.	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables in compliance with Policy EDU-1.3.6.
53	Objective EDU-1.4. Minimize impacts to surrounding communities , the City shall coordinate with Miami-Dade County Public Schools towards avoiding, minimizing and mitigating adverse impacts of public school facilities on the surrounding communities, particularly as it relates to traffic, infrastructure, landscaping, operational activities, security, historical resources, and aesthetics.	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables. No provisions have been offered or provided with the submitted application to adequately ensure child safety and to protect the surrounding residential neighborhood from the negative impacts of increased vehicular congestion of roads and intersections surrounding the school and intrusion of traffic and parking onto surrounding local residential streets identified in Objective MOB-2.7, Policy MOB 2.7.1 and 2.7.2, Objective MOB 2.8 and Policy MOB 2.8.1.
54	Policy EDU-1.4.1. Coordinate with Miami-Dade County Public Schools and other adjoining jurisdictions and agencies in the development of policies and procedures that address the adverse impacts of existing and new public school facilities on the surrounding communities.	The City encourages and requests coordination with the Miami-Dade County Public Schools and other adjoining jurisdictions and agencies for the review and comment on all schools proposed within the City of Coral Gables. The City is currently proceeding with site plan review at public hearings for the proposed increase in student enrollment of the school located at University Baptist Church, which allows for the application and enforcement of Zoning Code provisions through the identification of potentially negative impacts created by the application regarding child safety and quality of life issues resulting from increased traffic, off-site parking and utilization of public rights-of-way, and the other aspects of the proposed intrusion of an incompatible use into the surrounding residential neighborhood.
55	Policy EDU-1.4.2. Miami-Dade County Public Schools shall be encouraged to develop and operate all of its public school facilities within the framework of the City's established land use regulations, processes, and procedures.	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables. Review of the proposed site plan necessary to accommodate the increase in student enrollment through the public hearing process as being conducted by the City allows for the participation of City review boards and committees and other government agencies, as well as allowing for public input and comment.
56	Objective EDU-1.5. Miami-Dade County Public Schools, will strive	The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school and

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	to improve safety and security for students and staff, in conjunction with the City and other appropriate agencies.	increase the vehicular congestion of roads and intersections surrounding the school. No comprehensive traffic improvement plan was provided with the submitted application for the roads and intersections surrounding the school site. The increased potential for vehicular accidents and vehicle/student conflict within the public rights-of-way of the surrounding neighborhood is a critical child and pedestrian safety issue.
57	Policy EDU-1.5.1. Coordinate with Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which do not encourage criminal behavior and provide clear sight lines from the street.	The size and capacity of the existing University Baptist Church buildings would remain the same, but significantly increase the utilization of the facilities for school use. Off-site parking will result in the deterioration of public swales and existing buffering landscaping and the proliferation of "no parking" signage and visual blight around the perimeter of the school site.
58	Policy EDU-1.5.4. Coordinate with Miami-Dade County Public Schools and other appropriate agencies to provide for pedestrian and traffic safety in the area of schools, and signalization for educational facilities.	The City encourages and requests coordination with the Miami-Dade County Public Schools and all other appropriate government agencies to protect and provide a safe environment for school children and pedestrians. An increase in student enrollment at the school will result in an increase in the number of vehicles transporting students to and from the school, and increased vehicular congestion of roads and intersections surrounding the school. No comprehensive traffic improvement plan or off-site parking program was provided with the submitted application for the roads and intersections surrounding the school site. The increased potential for vehicular accidents and vehicle/student conflict within the public rights-of-way of the surrounding neighborhood is a critical child and pedestrian safety issue.
59	Policy EDU-1.5.5. Coordinate with Miami-Dade County Public Schools' Division of School Police and other law enforcement agencies, where appropriate, to improve and provide for a secure learning environment in the public schools and their vicinity.	As described in Policy EDU-1.5.4, child and pedestrian safety is a primary concern of the City.
60	Policy EDU-1.6.1. Coordinate with Miami-Dade County Public Schools in their efforts to provide "full service" schools,	Increased use of the existing school located at University Baptist Church could be achieved when adequate provisions are provided to mitigate the negative impacts of increased traffic, traffic congestion and stacking/queuing back-ups created by the drop-off and pick-up of

Education Element		
#	CP Goals, Objectives and Policies	Findings of Fact
	parent resource centers, adult and community schools and programs as appropriate.	students, the intrusion of off-site parking into the surrounding neighborhood and the deterioration of public swales, landscaping and pedestrian environment, and ensure child safety and the quality of life of surrounding property owners is maintained.

5. Public Notification and Comments.

The Zoning Code requires that a courtesy notification be provided to all property owners within 1,000 feet of the subject property. The notice lists the type of applications filed, proposed public hearing dates/time, location where the application files can be reviewed. The notice also provides for an opportunity to submit comments on pending applications.

Planning Staff provided twice the minimum notice requirements or a 2,000 feet notification radius of the upcoming public hearing. Likewise, staff requested the applicant provide 2,000 feet notice of the applicants required neighborhood meeting. The 2,000 foot notification provided notice to Granada Boulevard (west), Valencia Avenue (north), Salzedo Avenue(East) and University Drive (South). Approximately 600 notices were mailed. Two notices were sent out due to the need to reschedule the Planning and Zoning Board hearing due to a lack of quorum. A Copy of the two (2) courtesy notices and two (2) legal advertisements are provide as Attachments D through G. A map of the notice radius is as follows:

(See next page for mapping)

The following has been completed to solicit input and provide notice of the application:

Public Notice

Type	Date
Applicant neighborhood meeting	02.03.11
Courtesy notification - 2,000 feet of the property	03.07.11
Posting of property	03.11.11
Legal advertisement	03.09.11
Posted agenda on City web page/City Hall	03.07.11
2 nd Posting of the property (for 04.27.2011 meeting)	03.21.11
2 nd Courtesy notification - 2,000 feet of the property (for 04.27.2011 meeting)	03.24.11
2 nd Agenda posted on City web page/City Hall/Youth Center (for 04.27.2011 meeting)	03.24.11
2nd Legal advertisement (for 04.27.2011 meeting)	04.13.11
Posted Staff report on City web page (for 04.27.2011 meeting)	04.22.11

The listing of interested parties who returned the notification/comment form, including the date received, property owners name, address, object/no objection/no comment and verbatim comments are attached as Attachment H.

6. Staff Recommendation.

The Planning Department based upon the complete Findings of Fact contained within this Report recommends **approval** the following:

1. Application to amend the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Religious/Institutional" to "Community Services and Facilities" for a 2.6 acre parcel of land commonly known as the "University Baptist Church", legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

Summary of the Basis for Approval – Change of Land Use Application

Consistency with the Comprehensive Plan Goals, Objective and Policies. Staff's support of the Change of Land Use application is based on compliance with the Comprehensive Plan (CP) Goals, Objectives and Policies, Zoning Code and other applicable Codes as enumerated in the complete Findings of Fact presented herein.

The Planning Department based upon the complete Findings of Fact contained within this Report recommends **denial** of the following:

1. Conditional Use Application pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, to permit a student increase of an existing Charter School from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date.
2. Site Plan Application to permit miscellaneous site improvements and a student increase of an existing Charter

School from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

Summary of the Basis for Denial – Conditional Use and Site Plan Review Applications

Staff's analysis identifies inconsistencies, incompatibilities and insufficiencies which prompt Staff to not support the Conditional Use and Site Plan Applications, as filed. Staff's recommendation for denial is based upon established the following:

1. The Application's are not "Consistent " with the Comprehensive Plan Goals, Objectives and Policies.
2. The Application's do not support The City's Zoning Code Section 1-103., titled "Purpose of the City of Coral Gables Zoning Code".
3. The Application's fail to satisfy Conditional Use provisions, Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability".
4. The Application's are not in accordance with Article 3, Division 4, "Conditional Uses," Section 3-408., "Standards for review."

The basis for denial is as enumerated in the evaluation and Findings of Fact presented within this Report and supporting materials.

Staff Recommended Available Alternative

Throughout this Application review process and consistent with the City's Comprehensive Plan, City Staff encourages all parties when undergoing the City public hearing review process to continue to work with adjoining property owners, interested parties and affected parties to resolve applicable outstanding issues and concerns. The intent is to identify and work together towards the possible settlement of issues. As an example, during Gulliver Academy's recent 2010 school expansion (Change in Zoning and Site Plan Review Applications), Gulliver Academy worked closely with its neighbors to alleviate and mitigate any potential issues. Likewise, Fairchild Tropical Gardens most recent 2010 building expansion request included significant dialogue with its adjoining neighbors to reach a compromise. Both Gulliver Academy and Fairchild Tropical Gardens efforts resulted in "Settlement Agreements" with the adjoining residential neighborhoods and both applications were approved by the City Commission.

The recent comprehensive rewrite of the Comprehensive Plan provides for various goals, objectives and policies promoting community participation and a collaborative process. Specifically, the Future Land Use Element, provides the following:

1. Policy FLU-3.2.1. *Entities requesting changes in land use and zoning for property that adjoins a single-family residential district or neighborhood shall provide ample opportunities for input into the land use process which may include one or more of the following: additional public notice via regular mail, electronic mail, establishment of website, etc; completion of neighborhood meetings; establishment of point of contact.*
2. Policy FLU-3.2.2. *The Planning Department, when receiving a development proposal for property that adjoins a single-family residential district, shall facilitate the contact and discussion between applicants and known organized neighborhood groups and neighborhood associations to provide the opportunity to resolve potential neighborhood issues prior to City review at public hearings. The necessity to complete further collaboration and consensus decision making to mitigate or resolve identified issues may be conducted by the City's Planning Department or outside mediation*

services such as the South Florida Regional Planning Council, Institute for Community Collaboration.

3. Policy FLU-3.3.2. *As can practically be accommodated in conformance with the City's land development regulations, the City will assist neighborhood groups, business and neighborhood associations who have developed neighborhood plans in minimizing potential impacts between non-residential and residential land uses, with the intent of ensuring residential areas are protected from potential impacts which may include noise, light, traffic, and vehicular access.*
4. Objective FLU-3.4. *When the need arises to provide a collaborative process, consensus building and/or mediation for City identified issues, development projects, etc., the City shall initiate processes to build and facilitate partnerships with institutions, private practitioners, stakeholders, property owners, neighborhoods and organizations to fulfill the City's obligation for secure community involvement. This could include use of internal City resources or outside facilitators such as the South Florida Regional Planning Council, Institute for Community Collaboration.*

Respectfully submitted,

Eric Riel, Jr.

Eric Riel, Jr.
Planning Director
City of Coral Gables, Florida